8° Am. B. 3040

(470)

Proceedings

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 139.

BIBLIOTHECA REGIA MONACENSIS

WASHINGTON AND GEORGETOWN RAILROAD COMPANY AND CAPITAL TRACTION COMPANY.

JANUARY 15, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF THE RECEIPTS AND DISBURSEMENTS OF THE WASHINGTON AND GEORGETOWN RAILROAD COMPANY FROM JANUARY 1, 1895, TO SEPTEMBER 21, 1895, AND OF THE CAPITAL TRACTION COMPANY FROM SEPTEMBER 22, 1895, TO DECEMBER 31, 1895, TOGETHER WITH A LIST OF THE STOCKHOLDERS OF THE LATTER COMPANY.

WASHINGTON, D. C., *January 14, 1896.*

SIR: I have the honor to transmit herewith the treasurer's report of the receipts and disbursements of the Washington and Georgetown Railroad Company from January 1, 1895, to September 21, 1895, and also the treasurer's report of the receipts and disbursements of the Capital Traction Company from the date of its organization, September 22, 1895, to December 31, 1895; also a list of stockholders of the Capital Traction Company of record December 31, 1895.

Very respectfully,

G. T. DUNLOP, *President.*

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

Treasurer's report, Washington and Georgetown Railroad Company, to September 21, 1895.

RECEIPTS.

Bonds	$500,000.00
Central power station	8,716.76
Miscellaneous receipts	1,150.28
Passenger receipts	761,688.37
Rents	2,379.16
Track rent	450.00
Tickets	908.95
Transfers	121.98
	1,275,415.50
Balance	13,427.14
Total	1,288,842.64

DISBURSEMENTS.

Accidents	$7,765.00
Dividends	75,000.00
Donations	371.94
Georgetown extension	446,280.35
Interest	105,813.06
Insurance	4,702.47

Law expense	$10,893.33
Local taxes	26,506.78
Special taxes	230.29
Central building	2,231.07
Bills receivable	9,681.00
Bills payable	60,000.00
Alarm punch	2,164.87
Building repairs	1,082.34
Conductors and gripmen	172,782.06
Car-house service	13,459.50
Car repairs	33,881.64
Cables	19,281.37
Engines and boilers	14,087.28
Electric light	452.81
Fuel	16,345.70
Gas	1,221.79
General expense	4,390.97
Machine shop	12,773.87
Office expense	11,823.31
Oil, tar, and waste	2,338.62
Road service	35,571.15
Road repairs	5,464.10
Salt	544.75
Salaries	28,924.18
Stationery	4,751.43
Stable expense	3,420.51
Water rent	770.52
	1,135,008.06
Balance September 21	153,834.58
Total	1,288,842.64

C. M. KOONES, *Treasurer.*

Treasurer's report, Capital Traction Company, from September 21 to December 31, 1895.

RECEIPTS.

Bills receivable	$386.87
Central power station	2,862.12
Miscellaneous reports	295.89
Freight and mail	95.35
Passengers	283,821.18
Rents	1,601.14
Track rent	150.00
Tickets	1,055.72
Transfers	435.20
Balance September 21, 1895	153,834.58
Total	444,538.05

DISBURSEMENTS.

Accidents	$1,820.00
Alarm punch	796.56
Building repairs	90.20
Conductors and gripmen	66,794.75
Car-house service	5,833.45
Car repairs	6,425.75
Cables	13,323.83
Central building	1,149.69
Dividends	119,577.00
Donations	1,548.33
Engines and boilers	5,311.99
Electric light	284.46
Fuel	9,296.94
Engines, boilers, and dynamos	1,856.44
Gas	418.45
General expense	1,702.69
Interest	55,103.22

Law expense	$3,508.49
Insurance	5.42
Local taxes	21,814.60
Machine shop	4,539.43
Line repairs	858.17
Office expense	5,457.48
Oil, tar, and waste	776.37
Road service	13,785.63
Road repairs	6,993.25
Special tax	260.04
Salt	221.00
Salaries	16,047.73
Stationery	2,642.94
Stable expense	1,486.80
Water rent	322.71
Motor repairs	405.65
Construction and equipment	11,433.58
Balance December 31, 1895	62,645.01
Total	444,538.05

G. T. DUNLOP, *President.*
C. M. KOONES, *Treasurer.*

List of stockholders of the Capital Traction Company.

Name.	Shares.	Name.	Shares.
Adams, Alice M	30	Bradford, B. B	10
Auld, Susanna K	145	Barross, John V	87¾
Alder, Mrs. M. C	78	Beall, Robt	437
Alder, Gertrude H	50	Bryan, Albert	411
Alexander, Daisy E	53¾	Benjamin, Melvin G	110
Arnold, Sarah K	8	Breese, Jas. L	¼
Ansbacker, A. B	60	Bestor, Norman	10
Adler, M. J	274	Coolidge, Harriet B	107¾
Buchanan Roberdeau	26¼	Cooper, Eleanor J	107
Browne, Alice Key	322	Cammack, John	133
Brown, Augustus	11	Caldwell, Eliza J	107
Brown, Mary W	137¾	Cutts, Lucia B	85
Brown, S. Thos	645	Cutts, Emily V., guardian	73
Breese, Augusta E	343¾	Cutts, H. M	40
Breese, Eloise L	153¾	Clarkson, Alex. G., trustee	75
Brevoort, Jas. R	256¼	Cunningham, Wm. A	33¾
Berry, Sally L	20	Cunningham, Seymour	200
Berry, E. P	454	Coyle, Mary A	115
Bartol, H. W	2¾	Clagett, Dorsey	47
Bartol, Geo. E	208¼	Carll, David S	87¾
Bestor, Selina	403	Cox, G. W	70
Barr, Ann Jane	300¾	Cockran, W. Bourke	140
Barr, Mary Jane	15	Clarke, H. P	36
Barr, Jane	15	Cornwell, Saml. G	25
Barbour, Annie V	1,550	Corcoran, W. W., estate of	5,358
Blount, Henry F	31	Coe, Emma	1,086
Blount, Lucia E	31	Coe, Mary L	1,086
Belknap, Mary P	55	Coe, E. Holloway	1,087
Bailey, Chas. B	147	Cooper, George B	107
Bailey, Lois A	14	Corson & Macartney	286
Barber, John A	77	Crane, Parris & Co	71
Bugher, Mary M	250	Cooper, Jas. E., estate of	2¾
Balch, Jane B	10	Dalington, Jos. J., trustee	812¾
Blair, Henry P	33	Devoe, Miriam C	27¾
Bannister, Miss M. J	33	Dalrymple, Alex., estate of	350
Blanchard, Arthur	140	Dalrymple, Ellen M	40
Beard, Elizabeth B	435	Dougal, Wm. H	173¼
Budington, Thos. G	315	Dunlop, G. Thos., jr	70
Budington, Wm. G	435¾	Dawes, Elizabeth R	20
Brett, Sarah J	213	Dana, Julia	475
Beatty, Frank E	16	De Geofray, Geo. L. D. A	4
Bell, C. J., trustee for H. A. and G. H	10	Davis, Henry E	5
Bannister, Dwight	60	Dana, F. E	1
Bailey, H. O	158	Dinneen, Daniel	40
Bailey, Wm. R	158	Dunlop, Geo. T	3,936
Bailey, Louis P	158	Davis, Jos. W	53
Bailey Edgar G	166	Dougal, Wm. M	15
Bailey, George A	158	Davidson, H. Bradley	457
Bailey, Orville E. B	158	Emmerich, Catherine C	11¼
Blood, Henry Ames	5	Elliot, Susan A., attorney for Ann D. R. Elliot	64¾
Blood, Mary M	13		

List of stockholders of the Capital Traction Company—Contined.

Name.	Shares.	Name.	Shares.
Embury, Emma C	221¼	Hitchcock, Thos	350
Embury, Sophie R	55	Hilburn, Louis	200
Eustis, Celestine	836	James, Hobart	10
Elkins, Widener & Dolan	10	Jewell, Thos. B	104
Emmons, Geo. F., estate of	337¾	Jewell, Emma	830
Edes, Margaret	31¼	Jones, Wm. E	116
Eldrige, Geo. H	10	Jones, Katy J	116
Farmers' Loan and Trust Company, trustees for Sarah Louise Remsen and others	104	Jones, John E	116
		Jones, Wm. E., administrator	189¾
		James, Chas. A	10
Fuller, Jennie D	155	James, Elizabeth F	10
Fuller, Thos. J. D	20	Jones, Orlando A	310
Faush, James H	439¾	Johnson, J. Burr	312
Faush, Ellen D	287	Kraus, Wm	60
French, Mary E	108	Knox, P. M	10
French, Marg. A	5	Knox, Edith S	100
Francis, Thos	87¾	Knox, C. Gordon	105
Francis, Larmia C	20	Knox, Augusta S	100
Foster, Sarah R., administratrix of H. A. Foster	75	Kimball, Frances A	5¾
		Koones, C. M	591
Foster, Sarah R	20	Koones, Saml. S	20
Fraser, James	37¾	Koones, Chas. K	10
Fraser, Daniel	60	Kelly, Anna	175
Flather, Wm. J	80	Kane, Cornelia R	170
Flather, Collin E. E	10	Kindleberger, Chas. P	4
Flather, Henry H	46	Kimball, Mary Ella	5¾
Freeland, Mary D	20	Keyser, Esther A	20
Foster, Margaret	40	Kerr, Selina A. C	1,086
Fleming, Mary E	18¾	Kauffman, S. H	100
Flather, Edwin D	5	Koones, A. L., and Inez B. Koones, or the survivor	20
Grunwell, Jane E	470		
Gilbert, Fannie M	102	Lowery, A. H., executor of Frances W	357
Garnett, Henry Wise	1183¾	Lowery, A. H	715
Gaegler, Anthony	33¾	Lowery, Woodbury	358
Goodloe, Green Clay	71	Lane, Joanna M	387¾
Gihon, Caroline R	170	Lane, Marion O	20
Goldsborough, Ellen R	10	Lane, Ellen D	955
Grunwell, Jane E., Emma Jewell, and Ella Truett, executrices of G. Vanderken, deceased	1,065¼	Libbey, J. Edward	40
		Love, Anne	50
		Loeffler, Maggie M	20
Grunwell, A. B., Geo. E. Truett, and T. B. Jewell	11	Lutz, F. A	790
		Lutz, Mary A	30
Goelet, Ogden	875	Lutz, Mary A., executrix	860
Goelet, Robert	875	Lutz, S. S	135
Goelet, Robt. Ogden	400	Larcombe, Jno	64
Goldsborough, R. H	110	Lenman, Isabel H	90
Gale, Thos. M.	5	Lenman, Jenette R	90
Glover, Charles C	263	Lowndes, James	20
Gurley, W. B	464¼	Laird, James D	160
Gurley & Barross	38¾	Lewis, Clifford, trustee for Ellen Parke	100
Grunwell, A. B	621	Langtree, Wm. N	20
Gulick, J. Henry	229	Leiter, Mary T	1,575
Goldschmid, Rudolf	383	Lander, Jean M. D	10
Holtzman, Robt. O	100	Myers, Fannie I	205
Henderson, James B	18¾	Mann, Hannah N	3
Henderson, Bertha L	20	Mann, Kate R	177¼
Hammond, Sophie A	26¾	Maddox, Saml. M., and A. T. Brice, trustees for Mary E. McCeney	437¾
Hammond, Burton	6		
Herman, Saml	48¾	Moss, Geo. W	400
Higgins, Mary L	101¼	Moss, H. O	3,155
Howe, Chas. E	47	Moss, Isabel A	40
Howard, Cecilia	106	Moss, Charles H	100
Hunt, Edward T	344	Milburn, Emma F., administratrix of John A. Milburn	39
Hall, Hillman A	57¾		
Haviland, Benj	67¾	Milans, Jos. D	40
Hyde, Thos	50	Mattison, Ellen D	20
Hyde, Thos., jr	20	Mulqueen, Nora A	60
Hyde, Fannie	30	MacMartin, Malcolm, and E. M. Maxwell, trustees	215
Hemphill, John J	150		
Hawling, Annie L	10	MacMartin, Malcolm	365
Hawling, Wm	10	MacLaren, Anna W	140
Hagar, Mattie B	5	Maxwell, Elizabeth M	355
Head, Barbara A	8¼	Macartney, Lama F	14
Harrison, Mamie R	436¼	Munn, Charlotte Plain	131¼
Hitz, Jane C	147¾	May, Cecilia C	47¾
Harper, J. W	4	May, Henry	187¾
Hall, Alice G	12	Mercer, Mrs. Minnie L	100
Hart, Wm	2	Marston, Etta L	33
Hurt, Henry	2,708	Marston, Linda M. B	30¼
Harkness, Wm	537¾	McKenna, Wm., estate of	75
Hutchins, Stilson	778¾	McKenna, Mary F	60
Hill, Wm. Corcoran	105	McKenna, Catherine E	98

List of stockholders of the Capital Traction Company—Continued.

Name.	Shares.	Name.	Shares.
McDaniel, John H	215	Somerville, Saml. W	40
McIlhenny, John	363¾	Somerville, Kate	40
McIlhenny, Oliver	393¾	Somerville, Thos. H	40
McIlhenny, Thyrza V	200	Smith, Mary J	53¾
McIntoch, Mary	120	Snyder, Benj. P	62
McDonald, John E	50	Spencer, Mary A	30
McLean, John R	464¾	Stuart, Albert R	140
Norrie, Emily F	537	Stone, Kate C	10
Neilson, Mary A	10	Stead, Robert	20
Nater, Samuel H	10	Scheller, Thos. K	10
Newlands, Francis G., trustee	9,219	Stevenson, Wm. P	40
Oak Hill Cemetery Co	387	Stephenson & Bro	10
Ostheimer, Geo. R., trustee	50	Stofer, Alfred J	20
Orme, Jas. W	2,222¾	Sheldon, Henry K	274¼
Plater, Alice Bland	310	Sheldon, Anna K	80
Pancoast, Mary E	3	Story, Marie Hunt	423¾
Park, John G	956¾	Smith, Augustin R	15
Portland Trust Co	60	Stelwagen, E. J	840¾
Phillips, Geo. W	335	Stelwagen, E. J., trustee	1,816¾
Phillips, Sam. L	537¾	Smoot, Jno. H., estate of	250
Perkins, Cora	30	Smoot, Georgie W	40
Perkins, Josephine	30	Smoot, Julia	140
Plain, Susie B	41¼	Sherman, Julia B	10
Potter, Wm. H	136¼	Stewart, John A	10
Pollok, Anthony	498	Stewart, W. M	368
Phoenix, Phillips	875	Stevens, F. C	1,308¾
Phoenix, Eleanor	200	Totten, Enoch	178¾
Potts, Elizabeth H	10	Todd, Elizabeth T	78¾
Punton, Emma, executrix of Jno. Punton	20	Todd, Georgie D	80
Quallrough, Leila R	316¼	The trustees of Louise Home	538
Ryan, S. F	172¾	The Brooklyn Trust Co., guardian of Jno. F. Talmage, jr	343¾
Riggs, Alice L	18	Talmage, Edward T. H	343¾
Riggs, Alice L., guardian	14	Talmage, Lillian	343¾
Riggs, Jane A	125	Talmage, Thos. Hunt	343¾
Riggs, E. Francis	821	Truett, Ella	470
Riggs & Co	1,865	Truett, Geo. E	460
Ray, Ross Leslie	205¼	Thom, Corcoran	50
Ray, Amanda J	450	Williamson, Matilda A	79¾
Ray, R. C	60	Woodbury, Levi	68
Robertson, Mary J	29	Woodworth, M	215
Robertson, Alex. F	40	Waters, J. G	1,643
Rodgers, Thos. S	40	Waters, J. G. and J. M	193
Ring, Emily J	10	Waters, Miss Martha	10
Remsen, Robt. G	2,150	Willard, Henry A	1,000
Ramsburgh, C. S	2¾	Willard, Henry K	10
Robinson, Martha A	20	Willard, C. C	100
Recar, George	7	Wilkinson, James	270
Ridout, John	55	White, Edwin	150
Richardson, F. A	240	Wilkinson, Mary	30
Richardson, F. A., guardian of Mary B. Adams	380	Willetts, Walter R	1,075
Riley, Elizabeth K	444	Washington Loan and Trust Co., executors estate of B. K. Plain	165
Remsen, Wm., estate of	8,600	Webb, Lizzie B	20
Shriver, Mary Jane	165	Webb, Anna E	10
Simmons, George R	92	Wilcox, Mary B	435¾
Shaw, John Eyre	1,075	White, Antonia T. E	50
Shaw, Edward	111	Wilkins, Emily J	20
Sailer, Deborah S	1,271	Wilkins, Beriah	1,011¾
Sailer, C. C	80	White, A. M	13
Storey, Anna G	85	Washington, Jos. E	54
Saville, J. H., trustee for Mary C. Alexander	156¼	Widener, Elkins & Dolan	27¾
Seymour, Mary Cath. and Va. C. Seymour, executrixes	430	Warder, Ellen M	100
Sherman, John	1,000	Young, Richard	2,150
Somervillie, Jennie B	138¼	Snell, Thomas	100
Somerville, Fannie T	50	Daly, Jane	60
		Snell, Thomas, trustee	50

We, George T. Dunlop, president, and C. M. Koones, secretary, of the Capital Traction Company, do hereby solemnly swear that the foregoing and annexed statement is just and true, to the best of our knowledge and belief.

GEORGE T. DUNLOP, *President.* [SEAL.]
C. M. KOONES, *Secretary.* [SEAL.]

Subscribed and sworn to before me this 14th day of January, 1896.

[SEAL.] CHARLES G. SHOEMAKER, *Notary Public.*

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 140.

AMENDMENT TO SUMMARY COURT ACT, ETC.

LETTER

FROM

THE ASSISTANT SECRETARY OF WAR,

TRANSMITTING

A draft of a bill amending the act of Congress establishing a summary court, and for other purposes, together with a communication from the Judge-Advocate-General of the Army in relation thereto.

JANUARY 15, 1896.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 14, 1896.

SIR: I have the honor to forward herewith the draft of a bill amending the act of Congress establishing the summary court, and for other purposes, together with a communication from the Judge-Advocate-General of the Army, giving the reasons why the legislation is desirable. This Department entirely concurs in his views and urgently recommends the proposed measures to the favorable consideration of Congress.

Very respectfully, your obedient servant,

JOSEPH B. DOE,
Assistant Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
OFFICE OF THE JUDGE-ADVOCATE-GENERAL,
Washington, December 14, 1895.

SIR: In my annual report for this year I had the honor to recommend certain legislation amending the act of Congress establishing the summary court, providing that military prisoners shall, until discharge, remain subject to the Articles of War, and giving courts-martial the power of compelling civilian witnesses to testify. I beg to make the following extracts from my annual report, explanatory of the reasons for my recommendations:

SUMMARY COURT.

The summary court has proved to be a practical substitute for the garrison and regimental court-martial, and has given satisfaction throughout the Army; but when

the summary court act was passed we were making an experiment, and it is not surprising that in the course of the five years of this court's existence we have discovered that the system can be materially improved.

The summary court, under the act creating it, can exist only at posts where there is a "line officer second in rank," or at stations where only staff officers are on duty, or when but one commissioned officer is present with a command. But these do not cover all cases intended to be provided for. No provision is made for a command with which there are present a line officer (in command) and one or more staff officers—a detached command, for example, with one line officer and a surgeon. This is a serious omission, because under such circumstances it may be very important that there should be this means of enforcing discipline. Nor does the summary court act provide for a command under a staff officer, and with which there is one, and only one, line officer on duty. A further objection to the present system is that certain officers, "second in command," are designated by the statute as the summary court, and pursuant to this fixed designation they must hold the court whether fitted for the discharge of the duty or not. This is not a good arrangement, or, at least, not the best that can be devised. A better one would be to leave the designation of the trial officer to the post or higher commander. This would have the advantage of covering every possible condition of a command as to the composition of its commissioned force, while at the same time giving commanding officers the opportunity of selecting officers fitted for the responsible duty.

Another change which I recommend in the summary court act has reference to the following clause:

"That any enlisted man charged with an offense and brought before such summary court may, if he so desires, object to a hearing and determination of his case by such court and request a trial by court-martial, which request shall be granted as of right, and when the court is the accuser the case shall be heard and determined by the post commander or by the regimental or garrison court-martial."

My recommendation is that this clause be repealed, as its effect is to deprive the officer of a necessary disciplinary power. In the field, or when a command is detached and the commanding officer is the only one present competent under the law to hold the summary court, and a garrison court-martial can not be convened—when, therefore, he stands most in need of this disciplinary power—he is rendered helpless by the opportunity which this provision of the summary court act gives to the troublesome soldier of evading trial and punishment by demanding a garrison court; that is, he is helpless unless he assumes the responsibility of enforcing discipline by punishing without the authority of law. But it is wrong to place him in the position of having to choose between these alternatives. It is, in fact, requiring him to choose between an unruly command and a civil liability. And there is no danger whatever in intrusting an officer, even when he is the accuser, with the limited amount of power of a summary court, the utmost extent of which is one month's confinement with loss of pay. There is no danger that the officer would abuse this power any more than there was formerly danger in the fact that under the law relating to garrison and regimental courts-martial the accuser could appoint the court. Moveover, officers are seldom the actual accusers in cases falling within the jurisdiction of summary courts. The actual accusers generally are the noncommissioned officers, who, being cognizant of the facts, report the delinquents. For these reasons I regard it as important that the clause of the summary court act which thus protects the insubordinate soldier should be repealed.

MILITARY PRISONERS.

Another matter to which I have referred as requiring legislation is the subjection to the Articles of War of military prisoners discharged from the service and serving sentences of courts-martial. Under section 1361 of the Revised Statutes prisoners in confinement in the military prison at Fort Leavenworth under sentences of courts-martial were "liable to trial and punishment by courts-martial under the rules and Articles of War for offenses committed during the said confinement." The constitutionality of this provision has recently received careful consideration at the hands of the Hon. Amos M. Thayer, United States circuit judge, whose decision is of such importance in this connection that I attach it as an appendix to this report. It will be noticed that Judge Thayer discusses, among other things, the effect of a discharge from the service by sentence of court-martial when accompanied with the imposition of a term of confinement, explaining it in the following language:

"A discharge executed under these circumstances and for such a purpose can not be said to have had the effect of severing his connection with the Army and of freeing him forthwith from all the restraints of military law. The discharge was no doubt operative to deprive him of pay and allowances, but so long as he was held in custody under sentence of a court-martial, for the purpose of enforcing discipline and punishing him for desertion, he remained subject to military law which prevailed in the prison where he was confined, and subject also to the jurisdiction of a court-martial for all violations of such law committed while he was so held."

The military prison has now been discontinued, and military prisoners who have been discharged from the service by virtue of their sentences, but are held under military authority to serve terms of confinement, are now serving their terms at military posts. There is, however, no law which subjects them to the discipline of trial by court-martial under the Articles of War, and an important means of making confinement an effective military punishment is therefore lacking. To announce to the prisoner that no matter what he may do he can not have the term of his confinement extended is a direct encouragement to insubordination and must impair the effect of military imprisonment as an exemplary punishment. In order to remedy this evil it is very desirable that there should be legislation declaring that soldiers sentenced by court-martial to dishonorable discharge and confinement shall until discharged from such confinement remain subject to the Articles of War and other laws relating to the administration of military justice.

CIVILIAN WITNESSES.

Another matter demanding legislative action is the helplessness of courts-martial when civilian witnesses refuse to testify. Heretofore when this subject has been presented to Congress what has been asked for has been the power for courts-martial to punish civilian witnesses for contempt, and there has been objection to legislation in that form. I believe it has never been distinctly pointed out that the power is wanted for the sole purpose of obtaining evidence. But that is in reality all that the power is required for—to obtain evidence and thereby prevent the failure of justice. Congress has supplied us with laws for the government of the Army, and these laws are intended to be sufficient to maintain a high standard of honor among the officers of the Army and to protect the property and other interests of the United States. It is of vital importance that the power necessary for these purposes should be vested in the general court-martial, and this necessary power includes the power to compel civilian witnesses to testify. Cases of importance sometimes depend on it. A noticeable case has occurred within the year, an officer, who is still in the service, being, by the powerlessness of the court-martial to obtain the necessary evidence from civilians, enabled to escape the consequences of his repeated duplications of pay accounts. And an embezzlement of public funds might be covered up in the same way. The impotence of courts-martial in this respect is humiliating.

I have the honor to submit herewith the draft of a bill intended to accomplish the above-mentioned objects, and I respectfully recommend that it be submitted to Congress. If the fifth section of the bill should be regarded as objectionable in its present form, I hope that some provision may be substituted for it which would help to relieve us from the embarrassing position we are in.

Very respectfully,

G. NORMAN LIEBER,
Judge-Advocate-General.

The SECRETARY OF WAR.

JANUARY 14.—In compliance with the instructions of the Assistant Secretary of War, section 5 has been modified so as to make the refusal to testify a misdemeanor, punishable in a United States district court.

A BILL to amend an act entitled "An act to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, be, and the same is hereby, amended so as to read as follows:

That in time of peace every enlisted man who is to be tried for an offense such as was prior to the passage of the act "to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, cognizable by a garrison or regimental court-martial shall, within twenty-four hours from the time of his arrest (unless he is to be tried before a general court-martial), be brought before a summary court, which shall consist of an officer designated by the commanding officer of the post, station, or command, or by superior authority, as the summary court for such post, station, or command, and when such designation shall be made by superior authority it shall supersede all other; and such officers shall have power to administer oaths and to hear and determine such cases, and when satisfied of the guilt of the accused, adjudge the punishment to be inflicted; which said punish-

ment shall not exceed confinement at hard labor for one month and forfeiture of one month's pay, and, in the case of noncommissioned officers, reduction to the ranks in addition thereto. That there shall be a summary court record book kept at each military post and in the field at the headquarters of the command, in which shall be entered a record of all cases heard and determined, and the action had thereon, and no sentence adjudged by said summary court shall be executed until it shall have been approved by the post or other commander: *Provided*, That when but one commissioned officer is present with a command he shall hear and finally determine such cases: *And provided further*, That noncommissioned officers shall not, if they object thereto, be brought to trial before summary courts without the authority of the officer competent to order their trial by general court-martial, but shall in such case be brought to trial before garrison, regimental, or general courts-martial, as the case may be.

SEC. 2. That the commanding officers authorized to approve the sentences of summary courts and superior authority shall have power to remit or mitigate the same.

SEC. 3. That post and other commanders shall, on the last day of each month, make a report to the Department headquarters of the number of cases determined by summary court during the month, setting forth the offenses committed and the penalties awarded, which report shall be filed in the office of the Judge-Advocate of the Department, and may be destroyed when no longer of use.

SEC. 4. That soldiers sentenced by court-martial to dishonorable discharge and confinement shall, until discharged from such confinement, remain subject to the Articles of War and other laws relating to the administration of military justice.

SEC. 5. That when any person not in the military service who appears before a general court-martial of the Army as a witness and is lawfully ordered by it to testify or to produce any document or other subject of evidence under his control refuses or willfully fails to obey such order, such refusal or failure shall be a misdemeanor, and such person on conviction thereof in a district court of the United States shall be punished with imprisonment not exceeding one year, or fine not exeeding one thousand dollars, or both.

SEC. 6. That this act shall take effect sixty days after its passage.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 141.

LIFE-SAVING SERVICE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the General Superintendent of the Life-Saving Service relating to officers of the Revenue-Cutter Service on detached duty during 1896 with the Life-Saving Service.

JANUARY 16, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 15, 1896.

SIR: I have the honor to transmit herewith, for the favorable consideration of Congress in connection with the urgent deficiency bill, a communication from the General Superintendent of the Life-Saving Service submitting an item asking authority to pay from the appropriation for expenses of that Service for commutation of quarters to officers of the Revenue-Cutter Service while serving on detailed duty during the fiscal year 1896, in connection with the Life-Saving Service.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
OFFICE OF THE GENERAL SUPERINTENDENT
LIFE-SAVING SERVICE,
Washington, D. C., January 15, 1896.

SIR: I have the honor to submit herewith an item for transmission to Congress for consideration in connection with the urgency deficiency bill asking authority to pay from the current appropriation for the Life-Saving Service for commutation of quarters for officers of the Revenue-Cutter Service detailed for duty in the Life-Saving Service.

Respectfully, yours,

S. I. KIMBALL,
General Superintendent.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1896, by the Life-Saving Service.

LIFE-SAVING SERVICE.

Life-Saving Service.—Authority is hereby granted the Secretary of the Treasury to pay for commutation of quarters for officers of the Revenue-Cutter Service detailed for duty in the Life-Saving Service the sum of $5,160, or so much thereof as may be required; the same to be paid from the regular annual appropriation for the Life-Saving Service for the fiscal year 1896.

NOTE.—The request for the above authority is made necessary by the circular of the Secretary of the Treasury dated June 3, 1895, amending the regulations of the Revenue-Cutter Service, which circular provides that "no commutation of quarters shall be allowed to officers of the Revenue-Cutter Service while serving on detached service in connection with any other branch of the public service," the intention being that the service receiving the benefit of the detail should bear the expense.

The estimates for the expenses of the Life-Saving Service for the fiscal year 1897 contain the necessary language to effect this object, but the appropriation for the current year, which became a law prior to the date of the circular referred to, makes no provision therefor.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 142.

APPROPRIATION FOR CLERICAL FORCE, BUREAU OF STATISTICS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of State submitting an estimate of appropriation for the clerical force in the Bureau of Statistics for the remainder of the current fiscal year and for the fiscal year 1897.

JANUARY 16, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 15, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of State, of the 13th instant, submitting an estimate of appropriation for the clerical force in the Bureau of Statistics, Department of State, for the remainder of the current fiscal year and for the fiscal year 1897, as follows:

For the fiscal year ending June 30, 1896 (six months)	$1,980
For the fiscal year ending June 30, 1897	3,960

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE,

Washington, January 13, 1896.

SIR: I have the honor to submit herewith two items additional to the estimates of appropriations previously transmitted.

These items are made necessary by the discovery that a practice which has obtained of paying employees of the Bureau of Statistics of this Department from the annual appropriation for the preparation, printing, publication, and distribution of the consular and other commercial reports, and which was supposed to be warranted by the language of the appropriation, is in conflict with the act of August 5, 1882 (sec. 4, 22 Stat. L., 255), which prohibits the employment of persons by

any Department, "except only at such rates and in such numbers, respectively, as may be specifically appropriated by Congress for such clerical and other personal services for each fiscal year." In order that this practice may be discontinued without embarrassment to the important work of editing, publishing, and distributing the consular reports, and of compiling the annual volume, Commercial Relations, one of the items is submitted for insertion in the deficiency act for the fiscal year ending June 30, 1896, in order that it may be immediately available, and the other in the regular appropriation for salaries of the Department of State in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897.

As the work required is largely of a technical and special character and analogous in these respects to the work of the office of Naval Records of the Rebellion, I have adopted substantially the language of the appropriation act for that office (see Stat. Fifty-third Congress, third session, chap. 177, p. 791), in order that persons may be selected "by reason of special aptitude for the work."

The increase in the amount of salaries heretofore paid is $840, this amount being added in order to secure the services of an additional statistician, made requisite by the recent growth in the work of compiling the consular and other commercial reports, and to obtain greater efficiency in the distribution of them.

Inclosing a draft of the items mentioned,

I have the honor to be, sir, your obedient servant,

RICHARD OLNEY,
Secretary of State.

The SECRETARY OF THE TREASURY.

Items.

I.

[To be inserted in the act making appropriations for the fiscal year ending June 30, 1896, etc., under Department of State.]

Bureau of Statistics—For the following employees, to be selected by the Secretary of State by reason of special aptitude for the work of compiling and distributing consular and other commercial reports, viz, one clerk, at the rate of $1,400 per annum; one clerk, at the rate of $1,000 per annum; one clerk, at the rate of $900 per annum, and one laborer, at the rate of $660 per annum; in all, $1,980.

II.

[To be inserted in act making appropriations for legislative, executive, and judicial expenses for fiscal year ending June 30, 1897, under Department of State.]

For services of employees of the Bureau of Statistics, to be selected by the Secretary of State by reason of special aptitude for the work of compiling and distributing consular and other commercial reports, viz, one clerk at a salary of $1,400; one clerk, at a salary of $1,000; one clerk, at a salary of $900, and one laborer, at a salary of $660; in all, $3,960.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 143.

REMOVAL OF CERTAIN FURNITURE, ETC., FROM CUSTOM-HOUSE, CHICAGO, ILL.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

Estimate of appropriation for removal of certain furniture and records from the custom-house building in Chicago, etc.

JANUARY 16, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 14, 1896.

SIR: I have the honor to transmit herewith, for the favorable consideration of Congress, an estimate of appropriation in the sum of $3,500, submitted by the chief clerk of this Department, for inclusion in the urgent deficiency bill now being considered by the Committee on Appropriations, for the removal of certain furniture and official records from the custom-house building in Chicago, and for the purchase of such new furniture as may be required.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 14, 1896.

SIR: I have the honor to recommend that the sum of $3,500 be appropriated and included in the urgent deficiencies, now receiving consideration by the Committee on Appropriations, House of Representatives, to meet the expense for the removal of the furniture and records, used by the following-named officials, from the custom-house building to rented quarters in Chicago, Ill., and for the purchase of such new furniture as may be required; and for altering and fitting old counters, screens, and cases so that they can be utilized in the rooms to which they are to be transferred in the Rand and McNally Building, in the city named: Assistant treasurer United States, United States pension agent, collector of internal revenue, surgeon Marine-Hospital Service, and secret-service agents.

Vaults are being constructed by the lessors of the Rand and McNally Building for the accommodation of the United States officials referred to, which will be completed

about April 1 next, at which time it is the desire of the Department, if practicable, that the transfer of the furniture and records be made. A considerable portion of the work of altering the furniture and providing additional furniture can be done previous to the removal, thereby avoiding delays and embarrassments in the transaction of the public business, which would result should the changes be deferred until the last moment.

It is also recommended that the transfer of the furniture from the Government building at Chicago to a rented building be authorized, as it has been decided that such transfer can not be made legally under existing laws.

Respectfully, yours,

LOGAN CARLISLE, *Chief Clerk.*

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 144.

"CONTINGENT, NAVY" APPROPRIATION.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Copy of a communication from the Secretary of the Navy relating to a deficit in the "Contingent, Navy" appropriation.

JANUARY 16, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 15, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Navy, submitting an estimate of deficiency in the appropriation "Contingent, Navy," for the fiscal year 1895, $1,416.38, which he desires shall be included in the urgent deficiency bill.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NAVY DEPARTMENT,
Washington, January 13, 1896.

SIR: I have the honor to inclose herewith for transmission to Congress, to be included in the urgent deficiency bill, an estimate of appropriation required by this Department under "Contingent, Navy," amounting to $1,416.38, to pay bill of the Chattanooga, Rome and Columbus Railroad, Eugene E. Jones, receiver, for transportation of ordnance stores (guns and shell) from the navy-yard, New York, to the national park, Lytle Station, Ga., in April, 1895.

Very respectfully,

H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1895, by the Navy Department.

Contingent, Navy:

To pay bill of the Chattanooga, Rome and Columbus Railroad, Eugene E. Jones, receiver, for transportation of ordnance stores (guns and shell) from the navy-yard, New York, to the national park, Lytle Station, Ga., in April, 1895, being for the service of the fiscal year 1895 (act July 26, 1894, vol. 28, p. 124, sec. 1)..... $1,416.38

Amount appropriated for the fiscal year for which the appropriation is required..... 7,000.00

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. } DOCUMENT No. 145.

JAMES P. LAYNE, ADMINISTRATOR.

Letter from the assistant clerk of the Court of Claims transmitting a copy of the findings filed by the court in the case of James P. Layne, administrator, against the United States.

JANUARY 16, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 15, 1896.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 4817. James P. Layne, administrator of Elizabeth P. Layne, deceased, *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Elizabeth P. Layne, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed December 24, 1894.

[In the Court of Claims of the United States. Congressional case No. 4817. James P. Layne, administrator of Elizabeth Layne, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion was transmitted to the court by the War Claims Committee of the House of Representatives on the 27th day of June, 1888.

On a preliminary inquiry the court, on the 24th day of December, 1894, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of January, 1896.

C. W. Dorsey and John C. Chaney, esqrs., appeared for claimant, and the Attorney-General by Charles C. Binney, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That in the fall of 1861 the United States forces, under command of Brigadier-General Nelson, took from the deceased claimant, Elizabeth L. Layne, at her "landing" on the Big Sandy River, in Floyd County, Ky., quartermasters' stores and commissary supplies of the value of $3,030, and appropriated the same to the use of said army.

The said stores and supplies consisted of five large rafts of poplar timber (logs) and the lines with which they were secured.

The rafts contained 15,000 cubic feet of lumber, worth at the time and place 20 cents per cubic foot	$3,000
Five lines, worth $6 each	30
Total	3,030

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

At the time and place alleged in the petition there were taken from the claimant, Elizabeth Layne, deceased, by and for the use of the United States Army, stores and supplies of the kind alleged in the petition then reasonably worth the sum of one thousand two hundred and fifty dollars ($1,250), which does not appear to have been paid for.

BY THE COURT.

Filed January 13, 1896.
A true copy.
Test this 15th day of January, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 146.

APPROPRIATION FOR EXPENSES OF THE BOARD OF VISITORS OF THE NAVAL ACADEMY.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of the Navy, submitting an estimate of a deficiency in the appropriation for expenses of the Board of Visitors to the Naval Academy, fiscal year 1895.

JANUARY 17, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 16, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Navy, of this date, submitting an estimate of deficiency in the appropriation for contingent Naval Academy expenses of Board of Visitors for the fiscal year 1895, to be included in the urgent deficiency bill, amounting to $810.56.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NAVY DEPARTMENT,
Washington, January 16, 1896.

SIR: I have the honor to inclose herewith, for transmission to Congress, an estimate of appropriation for expenses of Board of Visitors to the Naval Academy, amounting to $810.56, being for the service of the fiscal year ending June 30, 1895. It is respectfully requested that this item be included in the urgent deficiency bill soon to be reported to the House of Representatives by the committee now considering same.

I have the honor to be, sir, very respectfully,

H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1895, by the Bureau of Navigation, Navy Department.

NAVAL ACADEMY.

Contingent, Naval Academy:

For expenses of Board of Visitors to the Naval Academy in June, 1895, being for the service of the fiscal year 1895. (Act July 26, 1894, vol. 28, p. 137, sec. 1)	$810.56
Amount appropriated for the fiscal year for which the appropriation is required	1,500.00

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 147.

REPAIRS TO WAR DEPARTMENT BRANCH OF GOVERNMENT PRINTING OFFICE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of War submitting an estimate of appropriation for repairs to the War Department branch of the Government Printing Office.

JANUARY 17, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 16, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War, of the 15th instant, submitting an estimate of appropriation for repairs, etc., to the building and annex occupied as the War Department branch of the Government Printing Office, $5,649.25.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington City, January 15, 1896.

SIR: I have the honor to forward herewith, for transmission to Congress, an estimate ($5,649.25) of appropriation for "Branch printing office, War Department," required for use of the War Department for the service of the fiscal year ending June 30, 1897.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1897, by the War Department.

BUILDINGS AND GROUNDS IN AND AROUND WASHINGTON.

Branch printing office, War Department: For repairs to the main building, rebuilding the annex, and providing heating apparatus for both main building and annex at No. 1725 F street northwest, the property of the United States, and occupied as the War Department branch of the Government Printing Office, as follows (submitted)—

To rebuild the annex	$2,979.35
For repairs to main building	1,869.90
For new heating apparatus for main building and annex	800.00
Total	5,649.25

NOTE.—In explanation of the above estimate the following letter from Col. John M. Wilson, the officer in charge of public buildings and grounds, showing the cost, by items, of rebuilding the annex, repairing the main building, and providing both with a steam-heating plant, is respectfully submitted (*A. Mackenzie, Acting Chief of Engineers*):

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, D. C., December 24, 1895.

GENERAL: In compliance with instructions contained in your indorsement of December 3, 1895, upon the communication of the Assistant Secretary of War in reference to the building occupied by the War Department printing office, I have the honor to report that a careful examination of the building has been made under my direction by my assistant, Lieut. John S. Sewell, Corps of Engineers, and to submit the following report and estimate:

No. 1725 F street NW., now occupied as a printing office, was originally an old dwelling house.

It consists of a main building about 30 by 40 feet, outside dimensions, containing a basement and three stories, and of an annex about 20 by 30 feet, outside measurement, containing a basement and one story.

The walls of the main building are of brick, 18 inches thick in basement, 13 inches thick in first and second stories, and 9 inches thick in third story. The floors are of timber, the ceilings of plaster.

The walls of the annex are of brick, 9 inches thick throughout; the floor and roof are of timber, the roof being covered with tin.

Shortly after the Ford's Theater disaster, the annex of this building, then used as a press room, was inspected by a board of officers and found to be in dangerous condition; in accordance with the board's recommendation, some timber shoring was placed under the press room to avert disaster.

The walls of the annex are too light to carry vibrating machinery, even if they were well built; their condition is now unsafe on account of the inferior quality of the brickwork. The floor joists are decayed in many places.

With the timber shoring these floor joists are still able to carry the vertical loads, but this will not always be the case; even now there is nothing to relieve the 9-inch walls from vibrations, and the lower portion of the north wall is in such bad condition that it is dangerous.

It is therefore recommended that this annex be torn down and rebuilt in a substantial manner, and that it be slightly enlarged in rebuilding to afford more press room. At present the inside dimensions are 19 feet 3 inches by 28 feet 6 inches, and it is proposed to make it 20 by 40 feet. As the United States already owns the land, the additional expense will simply be for materials and labor. The walls will be brought nearer the War Department stables, but will cause no inconvenience.

It is proposed to build the annex of brick, with concrete foundations, and to support the first floor with steel I beams and brick arches. The roof will be supported on steel I beams, with extra thick sheathing on top. The roof covering will be of tin. The press room will be high, with plenty of windows, and will have timber beams near ceiling for attachment of pulleys and shafting.

The walls of new annex will be 18 inches thick in basement story and 13 inches thick above first floor. They will be carefully laid in cement and sand and simply calcimined inside in basement and press room.

The basement will have a concrete floor. No columns will be used. The floor beams will be about 5 feet between centers and capable of sustaining a total load of 250 pounds per square foot. This will allow a static extraneous load of 165 pounds per square foot and a safe load under vibrating presses of about 100 pounds per square

foot, which will be amply sufficient. The cost of the new annex, including tearing down old one, will be approximately as follows:

ESTIMATE.

Excavation, 60 cubic yards, at 75 cents	$45.00
Concrete, 37 cubic yards, at $5.50	203.50
Concrete, 12 cubic yards, at $4	48.00
Bricks, 50,000, at $17	850.00
Steel and iron, 11,200 pounds, at 3½ cents	392.00
Georgia pine flooring, 800 square feet, at 15 cents	120.00
Timber in roof, 3,000 feet, B. M., at 7 cents	210.00
Roof weathering, 1,000 square feet, at 12 cents	120.00
Wire lathing, plastering, etc., 850 square feet, at 20 cents	170.00
Windows, doors, etc., 14, at $25	350.00
Painting	200.00
	2,708.50
Contingencies, 10 per cent	270.85
Total	2,979.35

In addition to the reconstruction of the annex the following repairs and alterations are necessary in the main building:

(1) Put down new Georgia pine floor in third story	$130.00
(2) Remove all lath and plaster from ceilings and substitute stamped metal plates, 4,500 square feet, at 12 cents per foot	540.00
(3) Overhaul and repair windows and stairways, replacing decayed or damaged woodwork, etc., and cut small window in east wall to light basement stairs	550.00
(4) Point up all old brickwork with Portland cement	100.00
Paint entire building, woodwork, roof, and outside walls, 1,700 square feet, at 18 cents	306.00
	1,626.00
Contingencies, 15 per cent	243.90
Total	1,869.90

The items enumerated in the foregoing include only those things which are absolutely necessary for the safety and welfare of the occupants of the building and the preservation of the structure. The woodwork will soon be beyond repair if it does not receive attention. One man has already been badly hurt by old plaster falling from the ceiling.

The brickwork of the main building is good, but needs pointing. The walls are dirty and dingy, and should be painted. A good deal of glazing is necessary for the windows, and some of them need new sash cords and heavier weights.

HEATING PLANT.

It is recommended that the two furnaces now in use be replaced by a steam-heating plant. The present furnaces are reported as inadequate and to consume about 40 tons of coal per annum. This is a large amount of fuel for a small building used only during the daytime; 20 tons should be sufficient for such a building. A water boiler to furnish hot water for scouring, etc., is required.

A steam-heating plant, powerful enough to heat the whole building during the coldest weather, would probably cost about $800.

The amount of radiating surface required will be about 800 square feet, and as the building can be easily ventilated, the direct radiating system would be used.

The entire project submitted will, therefore, cost about as follows:

To rebuild the annex	$2,979.35
For repairs to main building	1,869.90
For new heating apparatus	800.00
Total	5,649.25

The foregoing improvements appear to be absolutely necessary.

The annex should be rebuilt first. This can be done at some inconvenience to those in charge of the office by crowding everything into the main building. The new annex should be ready for occupancy within two months after the old one is vacated.

After the new annex is finished and the presses moved into it, the other repairs and the installation of the heating plant should be undertaken and pushed forward with the very least possible inconvenience to the occupants of the building.

If the work is to be done, it should be undertaken in May or June and completed before cold weather.

Materials should be purchased under contract, and the work done by day labor under a competent foreman.

Very respectfully, your obedient servant,

JOHN M. WILSON,
Colonel, Corps of Engineers, United States Army.

Brig. Gen. WM. P. CRAIGHILL,
Chief of Engineers, United States Army, Washington, D. C.

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 148.

ARMAMENT OF FORTIFICATIONS, ETC.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for armament of fortifications, rapid-fire guns, etc.

JANUARY 17, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 16, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War, of the 15th instant, submitting a supplemental estimate of appropriation for armament of fortifications, for rapid-fire guns, including their mounts and ammunition, $150,000.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, D. C., January 15, 1896.

SIR: I have the honor to forward herewith, for transmission to Congress, a supplemental estimate of $150,000 for "Armament of fortifications," required by the War Department for the service of the fiscal year ending June 30, 1897.

This estimate was not submitted with the regular estimates for the Department because at that time the tests necssary for the determination of satisfactory types of rapid-fire guns were not sufficiently advanced.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SECRETARY OF THE TREASURY.

OFFICE OF THE CHIEF OF ORDNANCE,
UNITED STATES ARMY,
Washington, D. C., December 7, 1895.

SIR: I have the honor to submit herewith a special estimate of $150,000 for procuring rapid-fire guns, including their mounts and a limited supply of ammunition, which I would request be forwarded to the Secretary of the Treasury for transmission to Congress as an addition to my annual estimates for the armament of fortifications. This estimate could not be prepared in time to be included with my annual estimates.

After extended trials of various types of rapid-fire guns at the Sandy Hook Proving Ground the Department is now in a position to take up the manufacture of this class of guns, a considerable number of which will be required for use in our fortifications, for flank defense, protection of mine fields, and general defense.

Unless an appropriation is made by Congress at its present session, nearly two years must elapse before the Department can enter upon the manufacture or purchase of these guns.

Very respectfully,

D. W. FLAGLER,
Brig. Gen., Chief of Ordnance.

The SECRETARY OF WAR.

[First indorsement.]

WAR DEPARTMENT, *January 7, 1896.*

Respectfully referred to the Board of Ordnance and Fortification for recommendation. This in connection with letter of this date from the Secretary of War to the president of the Board.

DANIEL S. LAMONT,
Secretary of War.

[Second indorsement.]

BOARD OF ORDNANCE AND FORTIFICATION,
Washington, January 10, 1896.

Respectfully returned to the Secretary of War.
The approval of this estimate is urgently recommended.
For the Board.

NELSON A. MILES,
Major-General, United States Army, President of the Board.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1897, by the Ordnance Department, United States Army.

Armament of fortifications:

For rapid-fire guns, including their mounts and ammunition.....	$150,000
Amount appropriated for the current fiscal year ending June 30, 1896.	1,139,150

NOTE.—Estimated to procure from eight to ten 5-inch, and about fifteen 6-pounder (2.25-inch) rapid-fire guns, with their mounts, and about 100 rounds of ammunition per gun. Guns of this class, in considerable numbers, will be required in fortifications, for flank defense, protection of mine fields, and for the general defense. The Department is now in a position to take up the manufacture of these guns, and the above appropriation is desired in order to commence the work and furnish a limited supply for use in connection with the new armament and emplacements now provided for coast defense.—(*D. W. Flagler, Brigadier-General, Chief of Ordnance.*

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 149.

PAY OF REGULAR ASSISTANT ATTORNEYS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

Copy of a letter from the Attorney-General submitting an estimate of deficiency for the pay of regular assistant attorneys for the current fiscal year.

JANUARY 17, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 16, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of the 15th instant, submitting an estimate of deficiency in the appropriation for pay of regular assistant attorneys, United States courts, for the current fiscal year, $32,000, to be included in the urgent deficiency bill.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 15, 1896.

SIR: I have the honor to request that the following item be forwarded to Congress for consideration as an urgent deficiency, to be included in the bill now being prepared:

Payment of regular assistants to United States district attorneys, who are appointed by the Attorney-General at a fixed annual compensation..... $32,000

The amount appropriated for the fiscal year 1895 was $126,000. There was appropriated for the present fiscal year only $100,000. There was expended during the six months ending December 31, 1895, $63,578.26. The pay roll for the month of January amounts to $11,093.07, at which rate there would be required for the six months ending June 30, 1896, $66,558.42, an aggregate for the year of $130,136.68, unless the exigencies of the service should require an increase in the amount or casualties should diminish it.

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 150.

ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY.

ANNUAL REPORT OF THE ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY.

JANUARY 17, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

THE ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY,
Anacostia, D. C., January 15, 1896.

SIR: I have the honor to transmit herewith annual report of the Anacostia and Potomac River Railroad Company, year ended December 31, 1895.

Very respectfully, your obedient servant,

H. A. GRISWOLD, *President.*

Hon. THOMAS B. REED,
Speaker of the House of Representatives, Washington.

Stockholders of record of the Anacostia and Potomac River Railroad Company, year ended December 31, 1895.

STOCKHOLDERS.

Name.	Shares.	Name.	Shares.
Acker, N	5	Pettit, Smith	3
Barbour, James L	10	Pitcher, J. B	100
Burr, W. H	50	Phillips, S. L	5
Bartley, J. W	5	Riley, W. R	279
Baldwin, W. B	100	Richards, F. E	25
Brinkley, John	2	Riley, T	5
Clark, R. B	40	Randall, H. K	5
Collierre, L. F. C	5	Randle, A. E	10
Coleman, C. C	25	Roane, R. A	1
Christie estate	100	Roane, S. B	1
Custis, J. G. B	100	Richards, A	60
Chapin, E. M	10	Smithson, T. E.	20
Cannon, A. D	2	Somerville, Thomas	15
Dripps, James	3	Shea, N. H	5
Deming, Ewd	133	Smith & Wimsatt	5
Douglass, Frederick	10	Talbert & McCauley	10
Exel, C	10	Talbert, R. T	7
Ford, Charles	25	Turton, William E	5
Griswold, H. A	223	Van Riswick, John	10
Griswold, M. H	50	Van Riswick, L	5
Halley, James E	100	Willard, H. K	25
Haines, D. E	4	Williams, J. Z	17
Hutchinson, Thomas	1	West, W. H	10
Jolly, John	15	Windsor, D. A	25
Johnson, K. J	10	Wilcox, M. J	3
Leitch, Robert	5	Welles, J. L	120
Mades, Charles	15	Welles, H. L	100
McCauley, C. V	10	Xander, C	5
Martin, Thomas	10	Young, T. E	20
Moulton, C. H	10	Young & Hill	6
Miller, James E	10		

Statement of receipts and expenditures of the Anacostia and Potomac River Railroad Company, year ended December 31, 1895.

RECEIPTS AND EXPENDITURES.

	Receipts.	Expenditures.
Bonds	$44,100.00	.....
Traffic	45,904.53	.....
Manure, horses, old rails, and materials	1,707.27	.....
Bills payable	126,816.11	$137,223.30
Construction	.....	10,153.69
Equipment	.....	6,792.40
Interest	.....	14,318.17
Salary and wages	.....	22,460.70
Hay, feed, and straw	.....	11,889.87
Maintenance (track and other repairs)	.....	8,316.26
Sundry (freight, rent, etc.)	.....	3,695.18
Shoeing horses	.....	1,529.39
Taxes and insurance	.....	549.79
Oil, chimneys, burners, and wicks	.....	128.85
Total	218,527.91	217,060.60

Passengers, 1,147,352.

We, H. A. Griswold, president, and J. B. Pitcher, secretary, of the above-named company, do solemnly swear that the foregoing statement is true, to the best of our knowledge and belief.

H. A. GRISWOLD, *President.*
J. B. PITCHER, *Secretary.*

Subscribed and sworn to before me this 15th day of January, A. D. 1896.

[SEAL.] CARROLL W. SMITH, *Notary Public.*

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 151.

EXTENDING THE TIME FOR PUBLIC LAND SUITS.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

INVITING ATTENTION TO

The necessity for prompt legislation in order to remove the limitation of the time within which suits may be brought by the Government to annul unlawful or unauthorized grants of public lands.

JANUARY 17, 1896.—Referred to the Committee on the Public Lands and ordered to be printed.

To the Congress:

I desire to invite attention to the necessity for prompt legislation in order to remove the limitation of the time within which suits may be brought by the Government to annul unlawful or unauthorized grants of public lands.

By the act of March 3, 1887 (24 Stats., 556), the Secretary of the Interior is directed to adjust each of the railroad land grants which may be unadjusted, and it is provided if it shall appear, upon the completion of such adjustment, or sooner, that the lands have been from any cause erroneously certified or patented by the United States to or for the use of a company claiming under any of said grants, it shall be the duty of the Secretary of the Interior to demand a reconveyance of the title to all lands so erroneously certified or patented, and on failure of the company to make such reconveyance within ninety days the Attorney-General is required to institute and prosecute in the proper courts necessary proceedings to restore title to said lands to the United States. The demands made under this act have been numerous, and in some cases have resulted in the reinvestment of title to the lands in the United States upon demand, but in most cases the demand has been refused and suits have been necessary.

The work of adjustment has been unavoidably slow. The said act makes provision for the reinstatement of entries erroneously canceled on account of railroad withdrawals, and, upon certain conditions, provides for the confirmation of titles derived by purchase from the com-

panies of lands shown to be excepted from the grants. It contemplates a disposition of every tract, described by the granting act, situated within the primary or granted limits; an inspection of each tract certified or patented to the company within such limit, to determine whether such certification or patenting was proper; the listing of those tracts shown to be erroneously certified, and the determination for what tracts lost to the grant indemnity is to be allowed.

It is necessary, in making such an adjustment, that all questions of conflicting claims, either between settlers and the road, or between two roads, the grants for which conflict or overlap, be finally disposed of, so that a proper disposition of the land can be shown in the adjustment. While adjustments have proceeded with the utmost rapidity consistent with a due regard for the rights of the settlers, of the United States, and the railroad companies, and while to this end the force of adjusters has been largely augmented in the General Land Office, many of the grants yet remain unadjusted.

In some of the grants, notably the corporation grants, the lack of surveys up to the present time made the completion of the work impossible.

Decisions rendered by the Interior Department in numerous conflicts have been carried into the courts. The construction of the Interior Department has generally been sustained when final determination has been reached, but many of the cases are still pending in the courts, not yet having been decided. Some of these cases, while involving immediately the title to only one particular tract, will, when decided, furnish a rule of construction to control the disposition of the title to thousands of acres of other lands in the same situation. Until the courts pass upon these questions final adjustments can not be made.

By section 8 of the act of March 3, 1891 (26 Stats., 1099), it is expressly enacted that suits by the United States to vacate and annul any patent theretofore issued "shall only be brought within five years from the passage of this act." This period of five years will expire on the 3d of March, 1896. Of course no suit by the United States to secure the cancellation of a patent in this class of cases after that date would be effective. Indeed, it is now too late to initiate proceedings looking to any such suit, inasmuch as demand has to be first made on the company, and thereafter ninety days must be allowed for compliance or refusal, in accordance with the provisions of the act of March 3, 1887. Before the expiration of this period the statute would bar the right of recovery by the Government, and the benefits of anticipated favorable decisions of the courts would be lost so far as they might determine the character and disposition of grants similar to those directly involved in pending cases.

It will be readily seen that if this act of limitations is to remain on the statute books, the portion of the adjustment act referred to would be rendered nugatory. Indeed, there would be but little use in con-

tinuing the adjustment of many of the land grants, inasmuch as ascertained rights of the United States, or of settlers, could not be enforced by law.

Legislation establishing limitations against the right of the Government to sue is an innovation not entirely consistent with the general history of the rights of the Government, for it has uniformly been held that time did not bar the sovereign power from the assertion of a right.

The early adjudications of the Land Department constructed the grants with a degree of liberality towards the grantees, which later decisions of the courts and of the Department have not sustained. It seems clear that the further progress of adjustments will develop facts and transactions in connection with these land grants which ought to be the subjects of legal examination and scrutiny before they are allowed to become final and conclusive. The Government should not be prevented from going into the courts to right wrongs perpetrated by its agents or any other parties, and by which much of the public domain may be diverted from the people at large to corporate uses.

In these circumstances, it seems to me that the act of 1891 should be so amended as not to apply to suits brought to recover title to lands certified or patented on account of railroad or other grants. And I respectfully urge upon Congress speedy action to the end suggested, so that the adjustment of these grants may proceed without the interposition of a bar, through lapse of time, against the right of recovery by the Government in proper cases.

GROVER CLEVELAND.

EXECUTIVE MANSION,
January 17, 1896.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 152.

THOMAS F. BAYARD.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A report from the Secretary of State, and accompanying papers, relating to certain speeches made by Thomas F. Bayard, ambassador of the United States to Great Britain.

JANUARY 20, 1896.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

In response to the resolution of the House of Representatives of December 28, 1895, I transmit herewith a report from the Secretary of State, and accompanying papers, relating to certain speeches made by Thomas F. Bayard, ambassador of the United States to Great Britain.

In response to that part of said resolution which requests information as to the action taken by the President concerning the speeches therein referred to, I reply that no action has been taken thereon by the President, except such as is indicated in the report and correspondence herewith submitted.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 20, 1896.

The PRESIDENT:

Having received by reference from yourself a resolution of the House of Representatives, of which the following is a copy:

DECEMBER 28, 1895.

Whereas Thomas F. Bayard, the ambassador of the United States to Great Britain, is reported by the London Times newspaper to have said in a public speech delivered in Boston, England, on the second day of August, 1895:

"The President stood in the midst of a strong, self-confident, and oftentimes violent people; men who sought to have their own way. It took a real man to govern the people of the United States;" and

Whereas said Thomas F. Bayard, ambassador of the United States to Great Britain, is further reported by the press of this country to have said in a public speech delivered in Edinburgh, Scotland, on the seventh day of November, 1895:

"In my own country I have witnessed the insatiable growth of a form of socialism styled protection, which has done more to corrupt public life, to banish men of independent mind from public councils, and to lower the tone of national representation than any other single cause. Protection, now controlling the sovereign power of taxation, has been perverted from its proper function of creating revenue to support the Government into an engine for selfish profit, allied with combinations called trusts. It thus has sapped the popular conscience by giving corrupting largesse to special classes, and it throws legislation into the political market, where jobbers and chafferers take the place of statesmen."

Resolved, That the President be, and he is hereby, requested to communicate to the House, if not incompatible with the public interests, any information or correspondence showing whether Thomas F. Bayard, the ambassador of the United States to Great Britain, made said speeches; and if so, what action, if any, has been taken thereon by the President.

I annex hereto copy of letter of Mr. Bayard to the Secretary of State, dated December 12, 1895, accompanied by printed copy of address at Edinburgh; telegram of the Secretary of State to Mr. Bayard, dated January 3, 1896; telegram of Mr. Bayard to the Secretary of State, dated January 4, 1896; letter of Mr. Bayard to the Secretary of State, dated January 4, 1895[6]; and letter of Mr. Bayard to the Secretary of State, dated January 6, 1895[6], together with exhibits therein referred to, including cuttings from English newspapers, one of which is a report of a speech made at Boston, Lincolnshire.

The letters and telegrams, copies of which are annexed, show all the information and correspondence of the Department of State relating to the subject-matter of the resolution of the House of Representatives. Except as therein shown, no action has been taken by the Department.

RICHARD OLNEY.

DEPARTMENT OF STATE,
Washington, January 18, 1896.

No. 553.] EMBASSY OF THE UNITED STATES,
London, December 12, 1895.

SIR: Observing the proceedings, as reported by telegraph in the public newspapers of this country, of the United States House of Representatives in relation to a paper read by me on the evening of the 7th ultimo before the Philosophical Institution of Edinburgh, I

have the honor to inclose herewith for your inspection a printed copy of the address in question.

In the absence of precise information of the text of the resolution said to have been adopted by the House, and not proposing to anticipate the action of either or both Houses of the Congress, yet observing that in the course of the discussion reference was made to the personal instructions of the Department of State to the diplomatic officers of the United States, I respectfully advert to Article VII and its subsections in order that your attention may be drawn to the fact that the address in question was delivered before an institution purely literary and scientific in its character and wholly unconnected with political parties, which had honored two of my official predecessors with similar invitations, which in both cases had been accepted—subjects political in their nature ("Democracy" and "The law of the land") having been respectively selected and treated with distinguished ability.

No political canvass was pending or approaching in this country when my address was made, and no interference or participation in local or party political concerns in this country was therefore possible.

The address consisted of my personal opinions upon governmental institutions in general, the moral forces and tendencies which underlie them, and the governmental policies which assist in the conservation of the freedom of the individual as an essential integer of human progress, and of the permanence of civilization.

The judgments so delivered were formed by me after careful deliberation, and, in their presentation, sundry historical facts and arguments tending to sustain them were advanced.

When the Congress shall have concluded its action on the subject, it is possible that I may desire to submit a further statement, but, meanwhile, I consider it proper to place before you the address itself in full, and the facts connected with its delivery.

I have the honor to be, sir, your obedient servant,

T. F. BAYARD.

HON. RICHARD OLNEY,

Secretary of State.

P. S.—I find, upon reading over this note, that Mr. Lowell's address on Democracy was delivered by him before the Midland Institute, at Birmingham, an association similar in its character and purposes to the Edinburgh Philosophical Institution.

B.

INDIVIDUAL FREEDOM: THE GERM OF NATIONAL PROGRESS AND PERMANENCE.

[An address delivered before the Edinburgh Philosophical Institution on November 7, 1895, by the Hon. Thomas F. Bayard.]

You have done me high honor by your invitation to address the members of so distinguished and learned a society in this renowned intellectual center. Not without misgiving have I ventured to come before you, trusting, nevertheless, that the strength of the text may sustain the weakness of the preacher, and that the force of simple truth, however imperfectly stated, and if only fragmentary, may yet enable me to assist in placing another stone in the great wall of good government, under an elevated and permanent civilization.

Never since the world was peopled has mankind stood in such anxious expectancy, awaiting the outcome of the immediate future, as in these closing years of the nineteenth century. Men are wistfully striving to peer through the portals of the year 1900—marveling as the effect and forces of applied science are unfolded to our comprehension, and discovery moves on, each invention leading in another, in stately procession; we, all the while, rapt in wonder, are straining in hope and fear to catch the coming word, and to comprehend its import.

Never was speculation so rife, never was the field of human observation so unobstructed and expanded, nor the ascertainment and sifting of facts so facile. Never were opinions more diverse, nor was it ever so obviously important to detect and assert the philosophical principle, in recognition and obedience to which the lucidus ordo of human government may be preserved and kept in view, and the retrocession of mankind prevented.

At no stage of history was it more important to call to mind the great principle that government is a means, not an end, and is instituted to maintain those general liberties which are essential for human happiness and progress.

There is a deep movement of unrest in the breasts of men, and the forces of society move in strong and variant currents—the concentrated weight of armed repression and the upheavals of popular discontent are alike plainly discernible.

In some countries consolidation of empire progresses remarkably and impressively, in others disintegration is equally signified. Old dynasties, in sorrowful impotency, are drifting helplessly on the surface of events, or sinking palpably and hopelessly into the sea of time, which threatens soon to engulf them, and even the memories of their unproductive civilization, the roots of which have dried up and lost the principle of growth.

Other nations appear glowing with sanguine self-confidence, in lusty vigor and virility, springing forward and upward as though vivified by an elixir vitæ, which expels fear and feebleness, and sends strength and hope tingling through every fiber.

In some nations the hand of autocratic power and unequal privilege appears to tighten upon society; and if now and then it seems to relax its hold, it is only to extend and fasten more securely its grip upon the masses over whom it bears sway.

In others the progress of the doctrine and spirit of democracy widens the base of power, and calls into political consultation the great body of the inhabitants, depositing the ultimate power of decision in a majority of numbers.

Never were the destructive forces of warfare marshaled in such impressive array as we see them to-day; never before did earth shake under the measured tread of so many men armed and prepared to be armed; never in history were weapons so lethal, missiles so mighty, and explosives so terrific and powerful, or in hands so carefully drilled and instructed in their employment; never were the preparations for war on land and sea comparable, in scale and efficiency, to those of the present day.

At no time has science been so potently enlisted as to-day, nor the treasure and credit of nations and the products of toil and labor poured out in such lavish and unlimited supply to strengthen and assist the art of war and destruction; nor the search light of investigation and experience thrown with such developing and informing power, irradiating the present, and the immediate future, with wisdom drawn from the carefully weighed history of human contentions in the past. The influence of sea power upon military operations on land was never so convincingly demonstrated, and the relations and connections of all regions of the terra-aqueous globe so well defined and practically comprehended, and by the practical annihilation of time and distance brought into such close relations of interdependence.

Contemplating all these terrific forces, there is no thoughtful man who is not anxiously questioning his heart, What does all this preparation portend? What is to be the result to the civilization and progress of the human race of the conflict of such forces and the changes it may at any moment create?

But this disposition to an exaggerated and ever increasing militarism is necessarily accompanied by grievous pecuniary burdens; the weight of taxation is growing fearfully, and as men are withdrawn from productive industries and remunerative pursuits, the great engine of the state, the sovereign power of taxation, is put in motion everywhere and in every shape to gather revenues to support the vast expenditures.

In his Making of England, Green has told how mountain ranges, great rivers, valleys, and the varied distribution of hill and plain, tended to throw smaller tribes together into peoples and nations, and to form from their union a corporate organization which widened and elevated the sphere of human life and human action. These physical agencies have exercised great influence, and brought about vast modifications; but what are we to say of the force of the scientific discoveries of our

own day, which have leveled or pierced mountain ranges, bridged rivers, seas, and oceans, converted the ocean into a whispering tube into which mankind pour their messages, inviting freedom of exchange, the quick announcing of needs, the universal conduit of limitless demand and supply from every soil and every climate, instructing mankind in their capacities for mutual service, and making their intercourse more and more interdependent, useful, and beneficent to each other? For reciprocal amity between nations is the consequence of just and liberal commerce—an interchange that promotes the wealth and happiness of all.

For lo, the fall of ocean's wall
Space mocked, and time outrun,
And round the world the thought of all
Is as the thought of one.
And one in heart, as one as blood,
Shall all her people be;
The hands of human brotherhood
Are clasped beneath the sea.

Association gives strength and promises the means of resistance to power. The inventions of the day furnish the machinery of communication and concentration of human effort and will in a degree never before possible. And property is massed in its own defense, and is capitalized and incorporated in powerful associations. At the same time education has roused the masses; the schoolmaster has indeed been abroad, legislation has responded to his voice, and the organized unions of the laboring classes far exceed in numbers the armies equipped and supported in unproductive readiness for employment by the productive industry of the nation at large.

The forces of productive industry were never so great, and the burdens upon their products were never so heavy. Combination and consolidation to resist injustice, and competition for success, have gradually arrayed capital and labor in opposite camps, in which the power of each is separately and too often adversely organized, and serious conflicts have occurred, and conflicts more serious are impending, which threaten disaster to that tranquillity and good order of the State which are essential not only for its progress, but for the maintenance of the civilization to which the world has attained.

Such conflicts, so deplorable and disastrous, are wholly the results of misunderstanding; for it is clear and indubitable that the interests of capital and labor are united by a common fate; they are copartners, not adversaries, and there should be no obscuration of this important truth. The legislation or the party management that proceeds upon the false idea that the interests of capital and labor are divisible and antagonistic, should alike be condemned, for the prosperity of each is bound up with the other, and the principles of personal liberty are equally necessary for the welfare of both.

In this threatened conflict and confusion of the forces of society, and seeking the origin of that free government which is essential for hap-

piness and progress, and how it shall be perpetuated, I ask, What is its germ? What is the seed from which human liberty springs, and which must never be overlooked, but renewed, replanted, and protected as the generations of men pass away and their successors fill their places?

When I contemplate the autocratic power which is exercised in some countries to-day, and behold the organized and associated powers of wealth and numbers welded in such an overwhelming phalanx in others, I ask, Where is the safety and personal freedom of the individual? How is it to be guarded and secured? For the freedom of its individual members is the essential basis of the freedom of the State. The movement of the day, sometimes open, sometimes concealed in the robes of philanthropy and paternalism, but more often discernible in policies purely selfish, is toward state socialism as an opposing force to autocracy. But either is despotism and fatal to that individual freedom of man's mind and soul which is the instrumentality by which the world, under the very laws of its origin and progress, has been raised from brutality and barbarism to its present standard of civilization.

These problems of society rise on every side, and the peace and order of the world are seriously menaced.

The centripetal forces seem to move almost irresistibly toward consolidation and centralization, and in the presence of such exaggerated militarism, with its stupendous powers, with the vast plutocratic combinations of incorporated wealth and capital so closely in alliance; with the widespread national and international popular organizations of labor, with their solidified, massed, numerical force, one asks, with just alarm, what is to become of the individual, the free man, the essential unit of a society that hopes to retain the principle of growth and progress; of adaptation to those advances and improvements which demand the open mind, the complete liberty of human faculties, first for their discovery, and after that for their reception and assimilation? Is there not cause to fear lest between the upper and the nether millstones of the twin despotisms, military absolutism and socialistic tyranny, the freedom of the individual may be ground to death?

What can prevent this but insistence upon a distribution of the powers of government into independent departments, and a careful restriction of those powers to public uses only?

Frame society as you will, it is by personal characteristics and individual qualities that its affairs in the end must be decided. The wise resort to arbitration by contending nations raises the subject of dispute out of the disorder and clamor of an unwieldy body of inflamed and conflicting minds, in which selfishness is usually discernible, into the comparative serenity and disinterestedness of selected intelligence, usually of one, and never of more than a very limited number, of arbitrators.

In human affairs the power of ultimate decision irresistibly contracts as it graduates to its apex, and there is no escape from this law of social and political dynamics, and the growth of intelligence and means of information and communication seem only to increase its operation.

As an illustration of this: A few years ago I served as a member of a commission, composed of fifteen men, to whom was—and, as I think, wisely and creditably—remitted the virtual decision of a contested popular election, which had been held under circumstances of unusual excitement in a nation of upwards of sixty million inhabitants, under a suffrage system which includes practically the entire male population over the age of 21 years. And the final decision of that commission was carried by the vote of a single member; so that the numerical pyramid of power rose from an electoral base of more than five million votes to the narrow apex of a single vote, by which the control of the entire executive branch of the Government of a free and strong nation, with its immense and manifold powers, was committed to the hands of one of the Presidential candidates for the term fixed by the Constitution.

Let me emphasize what I can only call the hinge of this great question, which, I fear, in the conflict of more noisy forces may be overshadowed.

By the recognition of the individual as the essential unit of society, the voluntary principle becomes the basis of governmental action. Abandon the man and disregard his moral nature, silence the voice of his conscience, as it alternately pleads and threatens, and substitute the rule of overpowering numbers, and that mysterious and undefined entity "collectivism" in which wisdom is supposed to be gathered, or the single will of an autocrat, and the principle of consolidated and coercive power will necessarily be substituted.

Not without serious self-questioning have I assumed to address you upon a subject so profound, before the aspects of which I reverently pause, but I can not free myself from a sense of duty to speak straightforwardly and from my heart as in the service of perfect freedom, as a citizen of a Christian country, to men holding in this land the same belief, and upon a topic in which the highest duties of citizenship of both countries have their roots. I must not be misunderstood nor supposed to harbor any intention to pass beyond the province of secular discussion, or the just and natural scope of the subject selected, which is the duty and necessity of guarding personal freedom and individual liberty as the very seed and germ of human progress against the encroachments of consolidated power, and its suppression or overthrow by despotism in any of its shapes, whether vultus instantis tyranni, or civium ardor prava jubentium. Autocracy, plutocracy, oligarchy, socialism, or mob rule, each and all are equally fatal to well ordered government, of which the end is the personal liberty and happiness of the individual, a society in which the essential unit is a free man.

When, "from the thick darkness where He was," God spake on Mount Sinai, His commandments were addressed to the individuals of the

human race, and every solemn injunction of prohibition or of performance was pronounced to each person severally. "Thou shalt" and "thou shalt not," never in the plural but in the singular throughout.

The one prayer framed for human guidance by the Son of God mainly and plainly teaches these things:

The universal Fatherhood of the Creator; the equal individual and direct access, at will, of every human being to Him; the personality contained in the relation of parent and child, and the consequent kindred of the human race. The injunction of absolute privacy in the approach to Him, alone and in the seclusion of an inner room, the door being closed, kneeling down in secret supplication and asking that the kingdom of God shall come and His will be done on earth.

The divine commandment of this prayer conceded, it is impossible to deny that the maintenance of individual conscience and private judgment is an absolute and abiding duty, the performance of which contains the germ of human happiness and its growth, and that human progress and safety are dependent upon obedience to it.

In the primordial nature of man this principle is implanted, for "God created man in his own image, in the image of God created He him; male and female created He them." And God breathed into his nostrils the breath of life and man became a living soul, and to this instrumentality, so selected and endowed, dominion was given over the earth and over every living thing upon the earth.

If we are seeking light to lead our march in life, and arranging our plans of government as means to the great end, it behooves us to recognize this origin and underlying nature, and to frame our laws in subordination and harmony.

From these laws of our being there is no escape. They must continue in operation, accompanying and entering into every stage and varied condition of human existence, under whatever form of social and political association, so long as the world shall endure.

It is vain to suppose that the life of a nation, and of the individuals who compose it, can be ordered and regulated with hope of healthful progress or permanence when organized in disregard or in opposition to the law ordained in its creation.

Some things are accidental and transitory, others are essentially permanent. The freedom of the individual in human society is, and always must be, the essential and immutable factor to meet and obediently to recognize and carry out the developments of the Supreme Will as it shall be permitted to become known to the minds and consciences of men, if progress or even permanence in civilization is hoped for.

For as man is "Heaven born and destined to the skies again," the laws that placed him here will surely vindicate themselves.

The voluntary principle needs and calls for the exercise and expansion of the human faculties, moral, intellectual, and physical, while the coercive and involuntary principle induces their disuse, contraction,

and enfeeblement—and here is the parting of the ways—and I have endeavored to point out the right way, and by stating the origin and nature of mankind, to lead you to believe that, in the scrupulous safeguarding of personal liberty, independence in judgment, thought, and lawful action, the true seed of progress and permanence can alone be found.

Those who believe the wisdom and morals of Christ, and yet doubt or deny His divinity—and we who believe His divinity, and, so guided, accept the moral order it inculcates, which has lighted up the pathway of duty and upward progress of humanity—can all together bow in obedience to teachings that so unquestionably have transformed and advanced Christendom to the leading place it holds in the world's affairs, and so manifestly have impressed themselves upon the civilization they have created, which raises its head and smiles upon the world as His kingdom comes and His divinity progresses. The lesson taught is the dignity of humanity: that within each human heart is the kingdom of God, and that the conservation of individuality and personal character is the essential duty for the gradual comprehension of "the increasing purpose" and the progress of the race.

The most profound and salutary influence in the progress of the world has come from the institution of single and indissoluble marriage, and where it has been most respected the highest and most influential civilization will be found.

Silently, slowly, but irresistibly, an enduring principle has, by divine ordinance, made its way into man's social and political existence, by the decree that elevated one-half the human race to its just individual sphere of duty and responsibility, and spiritual equality with the other half. When the dignity of her equal birthright was thus divinely proclaimed, woman as the helpmeet and companion of man, no longer the mere toy of passion, or the unequal and degraded victim of polygamy, was assigned to her just and original place in the law of creation—then, and not until then, the names of wife, mother, and daughter began to bear their true significance, and the tie of marriage was placed above all others. Upon this equal union the institution of the family is founded. Home and its relations, the care and education of her children, endowed the wife and mother with powers, duties, and responsibilities but little known before. Increasing confidence was followed by increased affection and respect, and the assured legitimacy of offspring induced industry and the acquisition of property from the sense of reliance upon its transmission and inheritance.

There is a formal term which in later days has lost something of its sweet original significance, the "spinster," for it told how the clothing of the entire household came from the active industry of woman, and the Saxon phrase, even more forgotten, "Freodowabbe,"—"the weaver of peace,"—expressing the subtler influence distilled by gentleness, and love and trust, which color the web of life with the hues of Heaven.

And pure religion breathing household laws,

passing its domestic precincts, has transfused its influence into the civilization of our day, until it has become its most potential force. Without it our present status of civilization could never have been attained, and upon it rest our best hopes for its maintenance and progress.

Truth has been called the daughter of time, and assuredly the history of the nineteen centuries which have passed since the light of the Christian moral order has been shed upon the world, discloses the indubitable fact that every discovery under which improvement in human relations has been accomplished, and by which the civilization of mankind has progressed, has been brought into the world's use through the channel of an individual mind, and in no instance by the associated power of mankind. No great discovery can be named which has opened new fields of beneficent and useful industry, increased benevolence, widened and deepened sympathies, and elevated human thought and action, but is due to the free conscience, private judgment, and mental exertion of an individual.

In the world's history no legislature, no court, no council, no school, no majority of numbers, no aggregation of human force, or association can be credited with the origination of a single invention or discovery which has marked the advance of the human race. In the brain of the individual man, solely under the personal qualities and characteristics of his nature, the forces which generate discovery and invention have been deposited. This is the true seed of progress and growth, and the torch of knowledge, which is to illumine man's pathway onward and upward, is caught by one human hand as it is dropped by another, or is handed on by the voluntary force of those faculties which are embedded in the nature of that creature who alone of God's creations had breathed into his nostrils the breath of life and became a living soul.

Tho' world on world in myriad myriads roll
Round us, each with different powers,
And other forms of life than ours—
What know we greater than the soul?

We are witnessing in our day the decline and fall of empires once mighty in their material force, but now inert, decrepit, devoid of the seminal principle of growth or the sustenance of a moral order. And it is plainly apparent that these are the necessary and logical consequences of despotic government, the destruction of personal freedom, the enfeeblement of the moral fiber, the paralysis of individual intellectual and moral growth.

The march of the world's improvement, led by those nations who have safeguarded the freedom of the individual, has changed the face of the world, and the relations of its inhabitants and their intercourse. Where the right of private judgment has been secured and left free,

there new ideas have entered, have been accepted and assimilated. And new ideas can not enter where the individual mind is not free, but is chained fast to a rigid code that contains no vital principle of growth and adaptation to change, and is fed upon the husks of creeds outworn.

We are told that Omar, the lieutenant of Mahomet, ordering the Alexandrian libraries to be burned, justified their destruction by saying: "If what they taught was not in the Koran, it could not be true, and therefore would mislead, and should be destroyed; and if the Koran did contain it, then all other books were superfluous, and only dangerous." Minds fed upon such creeds are indeed "old bottles," and when the wine of new thoughts is poured into them the bursting of the bottles will follow, and the wine is wasted on the ground; and this is the truth of history we read to-day.

When the power that makes the laws and the power that applies the laws are in the same hands the laws are useless, for despotism reigns, and the hope of freedom dying out, the mental faculties become enfeebled and the whole community withers and decays. Thus despotism creates only ignorance and servility, and ignorance and servility in turn perpetuate despotism.

It will, I believe, be conceded by all students of jurisprudence that in the annals of political literature, whether of ancient or modern times, high rank must be assigned to the "Federalist," the compilation of essays written to expound and recommend for adoption by the several States of the American Union, the Constitution of the United States, as it had been agreed upon and framed by delegates in convention at Philadelphia in 1787.

Of the three great men, Hamilton, Madison, and Jay, whose names adorn this volume and have shed undying luster on themselves and upon the annals of their country, Alexander Hamilton is justly held the foremost. His name and lineage commend him to the favor of the country in whose capital it is my honor to stand to-day, and in the country of his choice and citizenship his reputation is cherished and his memory is embalmed in the grateful hearts of a people who received from him service, in council and field, second to none of her sons, for Washington was "the father of his country."

The debt of the United States to Scotland for the men of virtue and ability she has contributed in the establishment and maintenance of good government under republican institutions is happily great, but no other single benefit known to me has outweighed in value the presence in that country, at the crucial period of its existence, of Alexander Hamilton.

So impressed was Hamilton with the necessity of separating the great departments of power that he devoted four of his most careful essays to an examination of the question, and the demonstration of the fatal results to liberty of permitting a union of the three great branches of executive, legislative, and judicial powers in the same hands.

No political truth [said he] is of greater political value or is stamped with the authority of more enlightened patrons of liberty than that on which this objection is founded. The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one or a few or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny. * * * The preservation of liberty requires that the three great departments of power should be separate and distinct.

There can be no liberty [said Montesquieu] where the legislative and executive powers are united in the same person or body of magistrates.

You will, I believe, agree with me in holding the rapid growth and development of the United States to be the most remarkable page in the history of civilized mankind. The echoes of the savage war whoop, the crack of the rifle, the sound of the settler's axe, and crash of the falling timber had scarcely died away when, behold, a continental civilization presented itself. One flag waving from the Atlantic to the Pacific shores, and from the Frozen Ocean and the Canadian line to the gulfs of California and Mexico, over the homes of nearly seventy millions of self-governing, vigorous, and intelligent people, sanguine of the future, and animated with the best results of the world's progress in the scale of civilization. Yet little more than a century has rolled by since, breathless, bleeding, clad in ragged homespun, but radiant with solemn triumph—

> Rough, poor, content, ungovernably bold;
> War in each breast, and freedom on each brow!

their ancestors, emerging from an unequal contest, gathered themselves together as a family of republics, united under a single independent Government, stepped into the family of nations, and calmly took their place at the council table of the world's powers.

This marvelous progress can only be adequately accounted for by the freedom permitted to the units of that population, to each individual citizen, without surrender of conscience, to enjoy the admitted right to accomplish his own manhood, to be fully himself; to select the suitable occupation for which instinctively he felt himself to be competent, and upon which he embarked with the energy born of hope and confidence.

Sanguine temperaments were not repressed and chilled by the narrower and colder aphorisms of older and more calculating prudence, nor was humble birth an invidious bar, nor did they feel the galling fetters of military conscription, nor the weight of plutocratic inequality; but, with energies unrestrained, self-conscious, self-reliant, self-determined, and morally responsible, they pressed forward, each in his own field of enterprise, to gather the harvests of his own industry, and enjoy them beneath his own vine and fig tree, "with none to make him afraid."

The mainsprings of these active exertions were indefatigable persistence, sincere conviction, enthusiasm, and hope, which are all, and are only, individual qualities and characteristics of the social unit, the

free man. And with these subtracted, and the sense of personal responsibility disregarded, no substitute can be found.

In the plan of those who founded American society, the right of man to self-development was held to be essential, primordial and inviolable, with the single limitation that he should not infringe the rights of others.

The Government he was expected to support was not intended to enrich or support him; but its powers, limited, and delegated in trust, and always terminable, were never to be exercised to create unequal privileges or trammel his lawful efforts to contract and labor for his self-advancement. He was to be protected against violence and injustice from without and within, and to contribute equally to the common defense and general welfare of the community of which he was an integral part.

And this is the central idea, the dominating purpose and intent of the governmental systems of the English-speaking peoples.

No proclamation of their liberties from Magna Charta on this side of the Atlantic to the colonial declaration of independence on the other side, or the written constitution that followed it, was a mere recital of measures or a dry catalogue of statutes, but each and all were vitalized by the eternal principles that make and keep men free, and were laid down with stern and clear significance, not for a day, but for all time, principles of daily life and action, to which the changing forms and conditions of society as it progressed would be adjusted and guarded at every point, and shining like a golden thread through every sentence was the liberty of the individual.

Well might Lord Chatham declare, with noble earnestness, those three words in rude Latin, nullus liber homo, were more to him than all the elegancy of the classics. I can not resist, here and now, recalling to you those words.

No freeman shall be taken, imprisoned, disseized, outlawed, banished, or in any way destroyed, nor will we proceed against or prosecute him, except by the lawful judgment of his peers and the law of the land. To no one will we sell, to none will we deny or defer right or justice.

Wherefore we will and firmly charge that the English Church be free, and that all men in our Kingdom have and hold the aforesaid liberties freely, quietly, fully, and wholly, to them and their heirs in all things and places forever.

Given in the meadow which is called, as is aforesaid, Runnymede, between Windsor and Staines, on the 15th day of June, 1215.

Nearly six centuries had gone by and the reassertion of these rights had been many times made necessary amid the stormy vicissitudes of these Kingdoms, and British liberty had been successfully upheld. And these same keynotes of liberty were again sounded in the hearts of men of the same race, who had gone beyond the great ocean to find new homes, and open in the wilderness a broader breathing space for thought and freedom, and the hour struck for them to claim local self-

government and independence, and, as the master singer, Tennyson, has sung:

What wonder if in noble heat
Those men thine arms withstood,
Retaught the lesson thou had'st taught,
And in thy spirit with thee fought,
Who sprang from English blood.

Whatever harmonies of law
The growing world assume,
Thy work is thine—the single note
From that deep chord which Hampden smote
Will vibrate to the doom.

The greatest bulwark of freedom is the doctrine of limitation upon human authority, and that the essential personal rights are beyond the jurisdiction of the community; as my countryman Webster said, "There are fireside rights that must never be permitted to be drawn into question."

Personal conscience is marked in every line of the Declaration of Independence by the American colonists, and each man of them sifted his own heart to find reasons to justify the result. They appealed to the Supreme Judge of the world for the rectitude of their intentions, and in reliance upon His protection they mutually pledged their lives, their fortunes, and their sacred honor to secure the great ends for which government was ordained, life, liberty, and the pursuit of happiness. These were all such appeals as individuals alone could make, and could alone carry such declarations into effect.

Independence achieved, they proceeded to secure their personal liberty under a well-ordered and carefully guarded fundamental law. Under the Roman civil law the ruler was not subject to its provisions, but not so the common law of England, which was an American birthright. For as Coke put it, "This Magna Charta will have no fellow."

And but the other day the Supreme Court of the United States, by the voice of one of its most distinguished members, now no more (Mr. Justice Miller), repeated this great principle:

No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the Government, from the highest to the lowest, are creatures of the law, and are bound to obey it.

It is the only supreme power in our system of government, and every man who, by accepting office, participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.

And in 1787, when the Constitution of the United States was framed, into it were built the principles of Magna Charta, delegating certain and essential powers to the Congress. The exercise of those reserved was inhibited. The Congress was forbidden to prohibit the free exercise of religion, or require any religious test as a qualification to any

office or public trust, or to prohibit the right of the people peaceably to assemble, or to infringe their right to keep and bear arms, and to be secure in their persons, papers, and effects, against unreasonable searches and seizures; nor should anyone be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor should private property be taken for public use without just compensation.

Speedy and public trial before an impartial jury, information of the nature of the accusation, and being confronted by witnesses against him and have compulsory process to obtain witnesses in his favor and have the assistance of counsel for his defense were all expressly secured.

The chief claim of those clericals who, in other eras of history, had sought to establish and enforce absolute power, had its basis in their alleged right and duty to coerce and suppress the individual conscience of man, and to compel him to look toward Divinity through their glasses. Of this duty they were convinced, and it was based upon absolute distrust in humanity at large and the consequent necessity of resorting to an intermediary in having recourse to the Great Supreme, and under such arbitrary conditions individual liberty necessarily was crushed.

Against this fundamental error the principles of British and American liberty stand opposed, and they contain the vindication of the dignity of man's personality in his relations to the Supreme Being, and this has been the source of the entire advance of civilization.

Long ago it was said that the end of the constitution, statutes, laws, and customs of this realm was to bring twelve honest men together into a box, which is but a terse mode of saying that every form and principle of law is intended to secure personal freedom.

Therefore do I earnestly invoke opposition to state socialism in all its forms and sound a note of warning against the many propositions of political interference and state management under the garb of philanthropic aid or paternalism, for they are fraught with danger to the principle of individual freedom.

It is impossible for me to comprehend how it can be considered practicable or right and just to limit and fix, by a general public law, rigorously and indiscriminately, the same measure of time during which a man shall be allowed to work, for all descriptions of labor, regardless of the special incidents of the different occupations, and to compress all contracts for labor into such a uniform cast-iron arrangement.

The degree of attention, of the application of sight, hearing, dexterity, or strength are scarcely ever the same; some processes of production are rapid and continuous, others slow and intermittent; some controlled by temperature and climate, but each having its own distinct conditions, and no two alike. Equally unreasonable and impracticable would it be that the amount and quality of labor to be performed within the prescribed number of hours should be also regulated, and

with equal logic establish the amount of wages to be paid for the labor so performed, for all three features are requisite to effect the purpose intended, which is to substitute State control for the right of individual contract.

This is not personal freedom, it is state servitude; and the institution of property would inevitably perish under its grinding power.

Labor is the universal creator of property, and if a man can not be secure, as in his own right, to use and control his own labor, he can no longer be called a free man; he will be controlled by a merciless despotism, in which his idiosyncrasies are ignored, his tastes and faculties disregarded, and he is deprived of his most essential right; for to use the words of Adam Smith:

> The property which every man has in his labor, as it is the original foundation of all other property, so it is the most sacred and inviolate. The patrimony of the poor man lies in the strength and dexterity of his hands, and to hinder him from employing this strength and dexterity in what manner he thinks proper, without injury to his neighbor, is a plain violation of the most sacred property.

The great Irish philosopher and statesman, Edmund Burke, bore like testimony:

> Men have a right to the fruits of their industry and the means of making their industry fruitful. Whatever each man can do without trespassing upon others he has a right to do for himself, and he has a right to a fair proportion of all which society, with its combination and skill and force, can do in his favor.

> For the superfluities of the rich there would appear less urgency for safeguarding than for the necessities of the poor, and the more exigent the need the more imperative the remedy, and whether the subject of the demand is for labor performed or property in some other form, there can be no difference in principle, for the same law is essential to all; for to the humblest individual or to the organized association all the rights of private property must be equally sustained, and no organization, however powerful, whether of numbers or property, should be suffered to override them, and can not be permitted to do so except at the cost of that individual liberty which is the essential basis of free government.
>
> Justice enthroned on law is the only protection of the humble and defenseless. How shall justice be enthroned but by a united public opinion demanding it? And the demand must originate in the articulate individual conscience, which must be listened to and respected, or we shall be ground down by the despotism of numbers, or military autocracy or aggregated wealth, enacting and compelling obedience to laws not to establish justice and insure domestic tranquillity but to secure unjust privileges and unequal advantage.
>
> In my own country I have witnessed the insatiable growth of that form of state socialism styled "Protection," which I believe has done more to foster class legislation and create inequality of fortune, to

corrupt public life, to banish men of independent mind and character from the public councils, to lower the tone of national representation, blunt public conscience, create false standards in the popular mind, to familiarize it with reliance upon State aid and guardianship in private affairs, divorce ethics from politics, and place politics upon the low level of a mercenary scramble than any other single cause.

Step by step, and largely owing to the confusion of civil strife, it has succeeded in obtaining control of the sovereign power of taxation, never hesitating at any alliance or the resort to any combination that promised to assist its purpose of perverting public taxation from its only true justification and function, of creating revenue for the support of the Government of the whole people, into an engine for the selfish and private profit of allied beneficiaries and combinations called "trusts." Under its dictation individual enterprise and independence have been oppressed and the energy of discovery and invention debilitated and discouraged.

It has unhesitatingly allied itself with every policy which tends to commercial isolation, dangerously depletes the Treasury, and saps the popular conscience by schemes of corrupting favor and largesse to special classes whose support is thereby attracted.

Thus it has done so much to throw legislation into the political market, where jobbers and chafferers take the place of statesmen. The words of Lowell's warning well apply:

Rough are the steps, slow-hewn in flintiest rock,
States climb to power by; slippery those with gold
Down which they stumble to eternal mock;
No chafferer's hand shall long the scepter hold,
Who, given a Fate to shape, would sell the block.

Gradually the commercial marine of the United States has disappeared from the high seas, with the loss of the carrying trade and the dispersion of the class of trained seamen and skilled navigators; the exceptions, that only prove the rule, are the few vessels lately built, and only by making a breach by special contract in the general tariff and navigation laws, a reluctant confession of the impolicy and unwisdom of both, but an object lesson from which valuable instruction may be drawn.

More than seventy years ago, when this practice of the substitution of state interference for free individual enterprise and energy was first mooted, and before the destructive policy of protection had struck its roots in American legislation, my great coutryman, Daniel Webster had said:

> How, sir, do shipowners and navigators accomplish this? How is it they are able to meet and in some measure to overcome universal competition? Not, sir, by protection and bounties, but by unwearied exertion, by extreme economy, by unshaken perseverance, by that manly and resolute spirit which relies on itself to protect itself.

I need not say the navigation of the country is essential to its honor and its defense.

And at a national congress of farmers, just held at Atlanta, I find full confirmation of all that I have said in the address of a former commissioner of navigation:

To think awhile of the ocean and its navigation, of the ships and seamen carrying on the commerce of the world, should bring delight and stir our pride; for many builders of reputation, many famous shipmasters, and some of the most successful merchants began careers of honor as farmer boys. Once our laws encouraged enterprise on land and sea, and our people succeeded. The four pillars of our prosperity were agriculture and manufactures, commerce and navigation. American ships and American trade went everywhere, and the American flag at sea had the respect of the world. So it was, but is no more. No call to the sea sounds now for young America; it has been swept by rivals so cleanly from the sea that the proportion of American carriage, in what is called American commerce, is now but half as large as in 1789.

When we had shipping of our own, and merchants of our own people to carry on our trade, we had no fears of adverse balances and the export of gold. There was then no nation, rival or enemy that could strip us of our wealth. Now there is, and the world knows that a foreign marine is a stripping machine. A famous Englishman laid down this maxim for his country's guidance: "Whosoever commands the sea commands the trade; whosoever commands the trade of the world commands the riches of the world and consequently the world itself."

It is incorrect to speak of protection as a national policy, for that it can never be, because it can never be other than the fostering of special interests at the expense of the rest; and this overthrows the great principle of equality before the law, and that resultant sense of justice and equity in the administration of sovereign powers which is the true cause of domestic tranquillity and human contentment. The value of protective taxation to its beneficiaries consists in its inequality, for without discrimination in favor of someone there is no advantage to anyone, and if the tax is equally laid on all, all will be kept upon the relative level from which they started; and this simply means a high scale of living to all, high cost of production of everything, and consequent inability to compete anywhere outside the orbit of such restrictive laws.

But the enfeeblement of individual energies and the impairment of manly self-reliance are necessarily involved, and the belief in mysterious powers of the state and a reliance upon them to take the place of individual exertion fosters the growth of state socialism, and personal liberty ceases to be the great end of government.

How can we fail to perceive that it is fatal to hopes of advancement, or even of retention of what has been gained by civilization, when individual freedom and idiosyncrasies of personal character are impeded or cramped in their free expansion by the stupid interference of inflexible labor laws, which may be reasonably applicable to one description

of human exertion, and yet wholly unadapted for others; beneficial to one man, hurtful to another; a benefit to one class, a curse to another; repressing activity, discouraging energy and enterprise, and tending only to establish a standard of dull and hopeless mediocrity? I can imagine no more unhappy fate than for a man to be chained to an occupation below the natural level of his capacities—cruelly cramped in his aspirations, and forbidden to rise to his full intellectual and moral stature. And vain and irreverent are all such attempts to establish a dead level in human faculties of body or mind—a bed of Procrustes, on which the bodies and minds of men are to be stretched or maimed, but never to rest in peace.

Who will not admit that the individual discoveries and labors of such men as Caxton, Watt, Arkwright, Stephenson, Nasmyth, Wedgewood, Bessemer, Whitworth, and Whitney, Ericsson, Bell, or Edison, have been productive of infinitely greater, steady, happy, prosperous, and beneficial industry and employment—giving comfort and occupation to countless members of the human race, and an upward impetus to the cause of humanity and civilization, far beyond all that statutes and societies for the avowed protection of labor can ever pretend to accomplish? Not France alone, but the entire civilized world mourns the death of Louis Pasteur, whose discoveries of the origin of disease are of such value to humanity at large. The list of such individual benefactions is, happily, too long to attempt its repetition here, and their names crowd our memories and swell our hearts with gratitude and admiration; but it may be confidently asserted that each of the inventions which have so blessed mankind and promoted its progress has originated in the mind of an individual, the sole channel through which it has been introduced for the general welfare.

The pathway to invention is not broad, and its narrow defile admits the entrance of no two minds abreast—the pursuit requires segregation and concentration of the faculties—and often to escape unfriendly obstruction, interference, and anticipation the secret of the discovery must be sheltered and concealed in the solitary bosom of the inventor until the propitious moment for its announcement arrives.

The "garment hem of cause" can be touched only by the hand of the individual student—

> Trying, with uncertain key,
> Door by door of mystery;

and in solitude he must patiently pursue his object—watching the opportunity to gather the golden grains as they fall slowly from the storehouse of nature's secrets.

Such reflections increase respect for individual freedom and consideration for the rights and duties of others; selfishness is lessened, and the habitual recognition of others' rights broadens the scope of observation and quickens the perception of altruistic duty. With the freedom of the individual grows his dignity, and public spirit here has

its truest genesis, for it becomes visibly the common cause of all—not a single act or measure, but a rule of action, a principle which is the necessary accompaniment of every act—and a standard is thus erected around which all can rally in the sense of security for the rights of each, for it is the common interest made evident.

If this can be made the ruling force of a nation its elevation, progress, and permanence are assured, for justice is the permanent foundation of a State, and public laws founded and regulated upon such a principle will connect all classes and occupations of society by preventing undue advantage to any at the cost of the rest.

Laws touched with such a high public spirit would meet with public honor and respect, suggestions of revolution would be deprived of their chief stimulant, and the occupation of the agitator and demagogue would be gone.

And to what audience and in what spot on the green earth could a plea for respect and freedom for individual genius be so confidently urged as in the city of Edinburgh?

What country has greater cause than yours for love and pride in her children, and can more forcibly illustrate, by a long catalogue of illustrious names, the value to the whole world of each true soul, conscious of its powers and fearlessly faithful in their expression?

In philosophy, science, and art, in every department of intellectual acquirement and education, Scotland's rank is second to none, and in some names leads the world.

It is not fitting that I should in this presence leave unspoken the name of Adam Smith, and I pronounce it with profound respect for the great individual whose clear mind first taught men the true philosophy of liberated commerce and freedom of exchanges, and induced the longest step yet taken in the path of political economy.

Well might David Hume declare, as Buckle has recorded, that The Wealth of Nations was the most valuable production of the human mind.

Come from what land he may, who can tread the soil or breathe the air of Caledonia without pausing with love and gratitude to bless the name and memory of Walter Scott? He has not only peopled lake and glen with the creations of his imagination, but has bound history fast in the flowery chains of his fiction; every mountain, stream, and valley of his native land he has bedecked with his exquisite fancy; he has instilled in human hearts everywhere respect and sympathy for the virtues that make homes happy and refined and nations honored and beloved.

Scotland without Sir Walter! It can not be imagined. Such divorce can never be. He was the gift of God to his country, and through his country to humanity at large. No other such record, save that of the one and only Shakespeare, is in the literature of his race, and when he is forgotten it will be a sign of national decay.

Years ago an American poet asked—

> But who his human heart hath laid
> To Nature's bosom nearer,
> Who sweetened toil like him, or paid
> To love a tribute dearer?

And when each of us essays to answer Whittier's question, I am sure that one and all will pronounce the name of Robert Burns, the marvelous Scottish peasant who, as Wordsworth said, "shames the schools." And this "poor inhabitant below" was born and lived and died in narrow poverty, from whose chilling grasp he was only released by death, with none of the advantages supposed to be essential for the humblest grade of literature and poesy. But the "living soul" within him soared above his homely surroundings, and as he sang he took the human heart by storm, and in the realm of humanity his state is kingly. From that early and humble grave in Dumfriesshire the music of his soul comes to our ears; he has become a political, religious, and educational force, and—

> Deep in the general heart of men
> His power survives.

Burns alone is plenary and unanswerable proof that the free individual is the true seed of progress in civilization.

The trend of modern invention toward equalizing human opportunity for intellectual advance is marvelous. Look for an instant at some of the highest triumphs of invention—not merely the saving of exhausting, cheerless labor; not merely rest for the toil-worn body; but refreshment and delight to the minds and souls of men.

The art conservative of all the arts, printing, is flooding the world with the light of literature; the food of thought, the nutriment of ideas, are distributed broadcast and imperishably, widening the perception of the common brotherhood of men.

Curran called the twenty-four letters of our alphabet "the natural enemies of folly and slavery," and the line of Byron is even more striking:

> * * * The drop of ink
> That falling, may make thousands, even millions, think.

To-day the smallest coin of the realm will suffice to procure copies of the masterpieces of thought and composition, and the humblest and the poorest individual can summon to his companionship the kings of thought, the master minds of the world.

Ten years ago I sent to London for copies of the New Testament, clearly printed on good paper and protected by substantial binding, for which I paid one penny each. This audience will, I believe, acquit me of emotional extravagance when I confess that I felt a thrill when I took these volumes in my hand and realized the capabilities of such cheap and boundless acquisition.

The strength of Scotland assuredly is found in the education that has been secured to all classes of her people. And in this cultivation of the brain not less has been assisted the cultivation of the heart, which makes the brotherhood and helping hand of Scottish people to each other so known and admired the wide world ever.

The cold crust of class and personal selfishness is penetrated by these roots of intellectual fellowship in the commonwealth of letters, and a tide has set in which, with increasing volume, is drawing men from every class of occupation into a cooperative sympathetic understanding with each other for the advancement and diffusion of learning, which in this country and in the United States has thrown wide open the doors of scholarship, and is bringing the best education practically within the reach of any frugal citizen of average intelligence, expanding the force of modern thought and opening paths to new discovery.

A picture was lately drawn, and by a master hand, in a simple story of Scottish life, which to me was most attrative, and an extract from which, in closing, I will here reproduce, as illustrative of the brotherhood of the human mind, and a touch of nature that makes the whole world kin—the Davids and Jonathans of actual life.

It was a low-roofed room, with a box bed and some pieces of humble furniture fit only for a laboring man. But the choice treasures of Greece and Rome lay on the table, and on a shelf beside the bed the college prizes and medals, and everywhere the roses that he loved.

His peasant mother stood beside the body of her scholar son, whose hopes and thoughts she had shared, and through the window came the bleating of distant sheep.

It was the idyl of Scottish university life.

And the words of the highborn and high-bred Gordon to the peasant mother:

Your son was the finest scholar of my time, and a very perfect gentleman. He was also my true friend, and I pray God to console his mother, and he bowed low over Marget's worn hand as if she had been a queen.

In the beginning I referred to the appalling array of martial forces, but we should be equally mindful of the unproclaimed, undecorated, ununiformed armies of healing, restoration, and amelioration, which never were so strong in numbers, in enthusiasm, so potently organized and effectively occupied as they are to-day, nor so mighty in their mild strength since the star of Bethlehem shed its serene light upon the Chaldean shepherds, and has steadily and irresistibly radiated its influences silently into the hearts of mankind, converting countless men into its unconscious instruments.

Evolution, not revolution, is the quiet, masterful force now leading the progress of civilization, and the personal conscience and the "living soul" of the free individual are essential to enable mankind to conform to the changes which are inevitable in its onward journey.

For what avail, the plow or sail,
Or land, or life, if freedom fail.

[Telegram.]

DEPARTMENT OF STATE,
Washington, January 3, 1896.

BAYARD,

Ambassador, London:

House resolution calls for information or correspondence showing whether you made not only the Edinburgh speech, but a speech at Boston containing these words: "The President stood in the midst of a strong, self-confident, and oftentimes violent people—men who sought to have their own way. It took a real man to govern the people of the United States."

Nothing in the Department except in newspapers as to Boston speech. Send copy with any statement as to it or any additional statement as to Edinburgh speech that you desire to make. Resolution asks what action, if any, President has taken on the speeches.

OLNEY.

[Telegram sent from embassy of the United States, London, January 4, 1896.]

Will procure and send by next mail newspaper containing report of proceedings of Boston grammar school in August last.

BAYARD.

EMBASSY OF THE UNITED STATES,
London, January 4, 1895[6].

DEAR MR. SECRETARY: Your cipher telegram giving me the purport of the House resolution of inquiry as to the address delivered by me in Edinburgh on November 7 last, and likewise touching a speech made in Boston, in Lincolnshire, came this morning, but as the pouch closes by 2 p. m. I have telegraphed you, in cipher, that I will forward a copy of the newspaper containing the Boston incident by the next mail.

The Boston grammar school is an ancient foundation of modest proportions, simple, honorable, and respected. It is the antetype of Boston, in Massachusetts, and my function was, in gratification of head master and those interested in the welfare of the school, to deliver the prizes to the graduating students. At some personal inconvenience, and hoping to strengthen the ties of friendly good will between the people of this country and my own, I made the journey to Lincolnshire, returning to London by midnight. The exercises were of a very simple and informal nature, and without a note or prepared words of any kind I made a short prefatory speech and handed over the prizes to the successful competitors.

In the afternoon we adjourned to a public hall or hotel. where a dinner was served, and, as is customary here, there were toasts and responses, and I responded to the health of the President of the United States,

and subsequently to a toast to myself. So far as I was concerned everything was impromptu, and a kindly, humorous, postprandial tone prevailed. It seems a reporter was present, but I did not see him, nor did I know that any report had been made until the local newspaper was sent to me a few days after in London. I sent a copy to Mr. Cleveland, because the report contained a kindly reference to the family home circle of the President, and as I have grandchildren in Boston, Mass., I sent a copy into that household. This was the extent of "publication" in the United States of which I have any knowledge. I must except an elaborate editorial in the Philadelphia Ledger, gravely censuring the constitutional views which the editor supposed to have been expressed by me.

The occurrence was early in last August, and had passed out of my memory until it was made the basis, or one of the bases, of a resolution of impeachment by the United States House of Representatives as a "high crime and misdemeanor" under the Constitution. I can discover no copy of the Boston newspaper in the offices of this embassy, but believe I can find one at my residence, and failing there I will endeavor to procure a copy in Boston.

I find that in my No. 553, of December 12, I inclosed copies of my address before the Philosophical Institution at Edinburgh—stating the circumstances under which it occurred.

I beg leave to thank you for your prompt information of the nature of the House resolution, in regard to which as to every other matter I desire and intend that my position, acts, and opinions should be free from any misconception, and be perfectly transparent to the President, yourself, and my fellow-countrymen.

Believe me, respectfully and sincerely yours,

T. F. BAYARD.

Hon. RICHARD OLNEY,
Secretary of State of the United States,
Washington, D. C.

EMBASSY OF THE UNITED STATES.
London, January 6, 1895[*6*].

DEAR MR. SECRETARY:

The closing of the mail on Saturday last at 2 p. m. did not allow me time, after deciphering your telegram relating to the remarks made by me in August last on the occasion of the distribution of prizes at the grammar school in Boston, Lincolnshire, to make search at my residence for copies of the local newspapers in which the proceedings were reported.

On returning home I looked them up, and have now the honor to inclose herewith copies (in duplicate) of the Boston Independent and Lincolnshire Advertiser, and the Boston Guardian and Lincolnshire Independent, both published August 10, 1895, and each containing

what purports to be a full report of the proceedings, and it is the only form in which they have ever been published so far as I am informed.

Sundry discrepancies are obvious in these two reports—and they are such as are usually incidental under similar circumstances—but as to the remarks attributed to me, I spoke without premeditation, without notes, unaware of a reporter's presence, and have no means except recollection (now somewhat vague) to enable me to correct either report. Therefore, I shall not now essay it, although it is obvious the reporters failed to catch my words (sometimes in Latin) and confused them.

But both reports are sufficiently full and accurate to describe the purpose of my visit and general nature and intent of my remarks.

I also inclose herewith two additional copies of the address I made before the Philosophical Institution of Edinburgh on November 7 last.

If it is desired to gather the actual purport and meaning of any statement, it would appear to be necessary that phrases should not be separated from the context, but that all the parts should be considered in their relation to each other, and as the honorable House of Representatives have in the grave exercise of their public duty instituted inquiry into what has been said and done by me on the occasions referred to, including the circumstances attendant, it may not be unreasonable for me to express the hope that, in simple justice, a full publication of the remarks undergoing criticism may accompany the expression of any judgment they may arrive at in the premises.

This I respectfully await, and am,

Most obediently, yours,

T. F. BAYARD.

P. S.—I inclose herewith copy (deciphered) of your telegram of the 4th instant, and of my reply thereto of the same day.

[From the Boston Guardian and Lincolnshire Independent, August 10, 1895.]

Mr. Bayard's acknowledgment was marked by a depth of feeling, a sincerity of tone, and a musical association of cleverly built phrases. There was an honest ring about his words—

As to diplomacy, as it is called, between nations, I confess to you I don't believe much in it. That is to say, I believe the best diplomacy consists in perfect frankness; the best diplomacy consists in removing and preventing misunderstanding. I believe the case, such as it is, should be honestly put before the people of the two nations concerned, and their better instincts be appealed to to settle it. Guided by these rules, I can not imagine how there can be any serious difficulty between the two countries speaking the English tongue if they are controlled by the morals of England as well as the morals of the United States, and having the same objects of fair play and good fellowship. So far as in me lays, I shall endeavor always to present a case that the English can accept with honor and accept with safety, for the welfare of this country as well as for that of my own.

The visit aroused some interest, but not so much as we anticipated. Few Bostonians seemed to realize that we had in our midst a man who, in his own country, is almost as great as Mr. Gladstone is here. Even some of those who took part in the evening's proceedings betrayed a lack of appreciation for the importance of the guest, otherwise they would not have interrupted his remarks by the cracking of filberts.

[From the Boston Guardian and Lincolnshire Independent.]

Boston, east and west.—The American ambassador visits the borough.—Speech day at the grammar school.—Complimentary dinner.—Presentation of an illuminated address.

Seldom has Boston had the honor of entertaining so distinguished a guest as on Friday last, when the Hon. T. F. Bayard, the ambassador to Great Britain from the United States, visited our ancient borough. So great has the interest manifested been that our readers will doubtless be glad to know something of the career of their eminent visitor. His lineage can be traced back to the same family as that of the "ideal of chivalry" the Seigneur Pierre du Terrail de Bayard, the "Chevalier sans peur et sans reproche," and his Huguenot ancestors left their homes to settle in America for the same reason as the founders of New England—freedom of thought and worship.

The Hon. Thomas Francis Bayard is a native of Wilmington, born in 1828; the son of a lawyer who practiced some time in New York. After learning mercantile business in a house in Philadelphia engaged in the West Indian trade he adopted his father's profession, and was admitted to the bar in 1851. He has lived chiefly in Delaware, which State was represented by his father in the United States Senate before the period of secession, and has twice elected Mr. T. F. Bayard—in 1875 and 1881. Not a partisan of the South in the civil war, he yet adhered to the Democratic party doctrine of State rights, opposing the stringent policy of the Republican party.

In the Senate at Washington he was a member of the Committees on Finance, Private Claims, and Revision of the Laws; served on the Judiciary and other important committees, and during the Democratic ascendancy was chairman of the Finance Committee. He was a delegate to the Democratic national convention held in Baltimore in 1872, where he opposed the Republican ticket. On the first ballot in the convention of 1876 he received 31 of the 713 votes for President, and on the second ballot, when Tilden was chosen, he received 11 votes. In 1880 he received 153½ votes on the first ballot in the Cincinnati convention, 113 on the second, and 2 on the third, when Hancock was chosen.

His name was again presented in 1884, and he received 170 votes on the first ballot and 81 on the second, when Cleveland was chosen. On his accession to the Presidency, in March, 1885, Mr. Cleveland nominated Mr. Bayard for Secretary of State. Mr. Bayard held the State portfolio throughout that Administration, but since its close he has not been conspicuous in political affairs. He was appointed ambassador to England early in 1893, and was received in this country by Lord Rosebery on June 12 of that year. Though his stay as yet has not been of long duration he has proved himself of great ability, and has earned the respect of all by his high sense of honor and justice. Mr. Bayard is the first ambassador from the United States. His predecessors have only received the title of minister. It is an act of the most gracious courtesy to our ancient borough that amongst the many cares and engagements of his high office his excellency has found time to knit closer the ties of kinship that bind together the old and the new Boston by visiting us to distribute the prizes of our grammar school.

HIS EXCELLENCY'S ARRIVAL.

His excellency traveled from London by ordinary train as far as Peterborough, where a special was waiting to convey him to Boston. He arrived at Boston station shortly after half-past 12, and was met at the railway station by W. Garfit, esq., M. P., W. White, esq., M. A., and Dr. W. J. Pilcher. From the station he was driven to the grammar school. There was very little public demonstration en route, the actual time of his arrival not being generally known. Flags were flying from all the principal buildings of the town, and the bells of the parish church rang welcoming peals. His excellency, who was the guest of the head master, was entertained at a private luncheon at the council chamber in the guildhall.

AT THE GRAMMAR SCHOOL.

In the afternoon the Hon. T. F. Bayard attended the annual prize distribution at the grammar school for the purpose of presenting the awards. His excellency was accompanied on the platform (which was, as usual on these occasions, made beautiful with floral decorations) by Mr. W. Garfit, M. P., chairman of the trustees; his worship the mayor, Mr. J. Clarke (who wore his robes and chain of office); the head master, Mr. W. White, M. A.; the trustees and masters of the school, Messrs. J. Wren, W. J. Pilcher, F. R. C. S.; S. Waddington, W. Pooles, J. F. Bazlinton, A. Hill, B. A.; A. H. Cawood, G. Passingham, B. A., and the Rev. E. Roberts, M. A., senior fellow and tutor of Caius College, Cambridge (an old pupil of the school).

The schoolroom was crowded with the friends of the scholars and others interested in the welfare of the school, a large proportion of those present being ladies. Among the audience we noticed the Rev. T. L. Craven, the Rev. G. J. Collis, the Rev. C. H. Lowe-Hopper, the Rev. H. N. Nash, the Rev. W. Blackshaw, the Rev. P. E. Wilson, the Rev. W. T. Fielding, Dr. T. Small, Dr. W. Clegg, Dr. A. H. Smith, and Messrs. T. Slator, J. M. Simpson, H. C. Johnson, R. W. Staniland, B. B. Dyer, W. T. Small, T. Kitwood, jr., H. Snaith, T. Marris, H. Wheeler, W. H. Gane, G. H. Gregory, J. Thompson, R. Newcomb, G. Rainey, C. Lucas, R. H. Swain, P. Thistlethwaite, W. C. Botterill, W. Porter, G. Cheavin, W. Sexton, S. J. Hurst, G. Shaw, J. Burton, E. S. Smith, E. Wade, E. H. Shepherd, and others.

Mr. W. Garfit, M. P., who was received with applause on rising to open the proceedings, said:

Mr. BAYARD AND Mr. MAYOR, Mr. WHITE, LADIES AND GENTLEMEN: It falls to my happy lot, as chairman of the trustees of this school, to be present and to take the chair to-day, and I do so with greater pleasure than usual, because we have among us the presence of his excellency the Honorable T. F. Bayard, the ambassador of the United States. [Applause.] This is doubly gratifying to us because it shows Mr. Bayard still appreciates the ties that draw the old and the new countries together. ["Hear!" "Hear!"] He has within the last few months expressed those sentiments, and I am quite certain that we Englishmen are second to none—certainly not to the inhabitants of the United States—in wishing that there should be a cordial feeling between the old and the new countries. [Applause.] We are very much honored by the presence of Mr. Bayard to-day [applause], and I will not detain you long, because he is kind enough to undertake to give away the prizes on this occasion; but I can not help thinking that, as he said a little while ago, what they in America have learned from us and what we have learned from them helps to improve both countries and the relations subsisting between the two. [Applause.] I have only been away for a few days' holiday since the election, and I have been yachting ["Hear!" "Hear!"] and, as you well know, the Americans and the English were very jealous of each other in the way of yachting. We do the best we can in England, but up to the present time we have never been able to win the race against the Americans; still, I hope that happy time will come. But if we can not win the race we have learned many lessons from them and they from us in regard to that sport.

At one time their ships and ours were diverse; now we build them almost from the same type, and we have got so near to perfection that no other nation can even have a look in between us—it lies entirely between England and America. [Applause.] I can not help thinking that the more intimate our relations the better it will be for the institutions of both countries ["Hear!" "Hear!"], and, as we have adopted one or two of their ideas, so they also, I am glad to say, a year or two ago adopted one of ours and sent their first ambassador from the United States. [Applause.] We are extremely obliged to Mr. Bayard for being present to-day and for the honor he does us in attending our little town of Boston to give away the prizes in this school. [Applause.] I may say to him that we in Boston are very proud of this old grammar school of ours. [Applause.] It has done very well in times gone by, but never so well as it has done during the last five or six years under the able management of the present head master. [Applause, and Mr. White, "No!" "No!"]

The head master says "No!" "No!" and I must admit he is quite right in giving a great amount of credit to Dr. Pattenden for his management of the school before him; but still I must repeat my words, that the school has never done so well as during the past five or six years. [Applause, and Mr. White: "I repeat, No! No. '] I think the honors obtained by this comparatively small school, both at Oxford and Cambridge since 1889, will satisfy everybody on that point. Also last year in the Oxford local examinations, where a great many boys, I think 4,000 or 5,000, are examined together, of which one-half pass, this school sent up the absolutely first and second boy in England [applause], and I think that is an honor unprecedented in any grammar school in England. [Loud applause.] I will not detain you any longer, ladies and gentlemen, but will ask Mr. White himself to read a list of the honors obtained by the school.

The list honors in the last seven years include three first classes at Oxford, four first classes at Cambridge, a dozen open scholarships, an appointment in the Indian civil service (gained direct from the school), and many successes in the London University marticulations and degrees.

HONORS GAINED IN 1895.

The head master then read the list of honors gained in 1895, which was as follows:

T. Slator, scholar of Pembroke College, Oxford. Honors in natural science school.

J. A. Johnston, scholar of King's College, Cambridge. Honors in natural science tripos.

R. Slator, scholar of Jesus College, Cambridge. Senior optime in the mathematical tripos.

W. H. Claypoole, scholar of Merton College, Oxford. Second class in mathematics in the first public examination.

F. Armstrong, LL. B., first class at London University.

E. Waite, first LL. B., London University.

J. Calver, first class in advanced mathematics at the South Kensington examination.

*E. A. Ingram, clerkship in the home civil service, gained by competitive examination.

London University.—Matriculation, 1895: *T. K. Johnston, honors; *C. G. Barton, first division; *F. Challans, first division; A. R. Schofield, second division.

Oxford local examinations.—July, 1894.—The total number of candidates was 4,232, namely, 2,878 juniors and 1,354 seniors. Of these, 1,975 juniors and 852 seniors passed. The first class in order of merit in the seniors contains 29 names. T. K. Johnston, of Boston grammar school, heads the list, F. Porter, of the same school, being second. *Seniors*—First-class honors: T. K. Johnston, first of all candidates in the Kingdom: Distinctions in arithmetic, mathematics, Latin, religious knowledge, Greek, French, and English, with certificates, including arithmetic, algebra, euclid, conic sections, analytical geometry, statics, dynamics, hydrostatics, trigonometry, heat, Latin, French, and Greek translation, and composition, English grammar, literature, history, and geography. F. Porter, second of all candidates in the Kingdom. Distinctions in mathematics, Latin, Greek, and English, with certificate in the same subjects as T. K. Johnston. Second class—F. Challans: Certificates in arithmetic, religious knowledge, English grammar, literature, history, and geography, Latin, French, euclid, algebra, statics, dynamics, hydrostatics, and heat. W. C. Burnet: Distinction in English, certificate in arithmetic, religious knowledge, English grammar, literature, history, and geography, Latin, French, statics, dynamics, hydrostatics, and heat. Passed: C. G. Barton, G. W. Hand, E. H. Harrisson, A. R. Schofield, and E. W. Schofield. All the above receive the title of associate of arts of the University of Oxford. *Juniors*—Honors in second class: A. W. Grocock, with distinction in Latin. Honors, third class: J. B. Simpson and A. E. Thistlethwaite. Passed: C. W. Bazlinton.

Mr. White remarked that certainly the highest honor gained by the school this year was in two of its scholars heading the list in the Oxford local examinations. That would show his excellency what the boys of this town could do in competition with the selected candidates from other schools in the Kingdom. [Applause.] Johnston and Porter, although juniors in years, actually headed the list of seniors in the Oxford local examinations. [Applause.] He believed it to be unprecedented for any school to head the list even with two seniors, but Boston had headed the senior list with two juniors. [Applause.] That would show his excellency that there was something of promise in the youth of the town—something of the pith and purpose of the men who founded the Boston in New England. [Applause.] Mr. White then read the following reports:

Report of the classical examination by Rev. T. W. Chambers, M. A., Sidney Sussex College, Cambridge, assistant master at city of London school.

To the Trustees of the Boston Grammar School.

GENTLEMEN: At the request of the head master I have examined the sixth form in classics and the fifth form in Latin translation.

In both Greek and Latin prose sentences involving idioms were set for translation, as well as a continuous piece. A good acquaintance was shown with the Latin idioms and also with the easier sentences for translation into Greek, and the continuous pieces were creditably translated in both cases.

In the translation from a Greek author into English all the boys did satisfactorily, translating with great accuracy and showing a good knowledge of Homeric forms. The translation from Latin authors was scarcely less accurate, but the field was wider, the writers studied being Cæsar, Tacitus, Virgil, Horace, and Juvenal, the last two being taken up by one or two boys. Pieces of unseen translation from Livy in Latin and from Xenophon in Greek were well responded to. Altogether I consider the work of the sixth form very sound and thorough.

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*These distinctions were gained direct from the school.

The fifth form was examined in Cæsar, books 2, 3, and 4. The standard of marks obtained was not quite so high as in the sixth form, but their papers gave evidence of solid work on the part of the whole class, and very few bad mistakes were made. In all the work I examined the boys seemed to me to be thoroughly well drilled, and to have mastered the difficulties of the subject.

I have the honor to be, gentlemen, your obedient servant,

T. W. CHAMBERS.

JULY 30, 1895.

Report of the mathematical examination of Boston grammar school, by H. Richmond, esq., M. A., fellow of King's College, Cambridge, and examiner in the mathematical tripos, 1895.

To the Trustees of the Boston Grammar School:

I can speak very highly of the mathematical work sent up to me. In the fifth form the two papers set (on Euclid and algebra, respectively) were both extremely well done, and showed that the subjects had been prepared with very great care; many of the lower boys in the form, who, having read less than the others, were unable to gain high marks on the whole paper, obtained nearly full marks in those earlier questions which they were able to attempt.

The four papers set to the sixth form were intended to be of the same standard as those usually set in examinations for open scholarships and exhibitions at the university, and were considerably more difficult than the papers ordinarily set in schools; in these the first boys did extremely well; to gain 76 and 68 per cent on such papers is an excellent performance and quite up to scholarship mark.

I consider the work of the fifth and sixth forms to be of exceptionally high merit.

HERBERT W. RICHMOND.

KING'S COLLEGE, *Cambridge, July 30, 1895.*

The subjects for examination of the sixth form were algebra, Euclid, trigonometry, conic sections (geometrical and analytical), statics, dynamics, hydrostatics, heat, differential and integral calculus.

The Hon. T. F. Bayard, who, on rising, was received with loud and prolonged applause, then addressed the audience. He said:

Ladies and gentlemen—and if I may without offense emphasize it, I would say "young gentlemen"—["Hear!" "Hear!"]—I beg leave in the simplest manner possible to make expression of the great satisfaction, of the personal pleasure and gratification, that I feel in coming from my scene of duty in London to be present and to assist at this scene of the award of merit to the scholars of this ancient and honorable school. [Applause.] There is something that probably the younger gentlemen whom I address will understand the better when more years have passed over their heads—there is something in coming back to the scenes, the times, and the history of the past. There is a refreshment, there is a conformation that comes from thinking of an honorable past that connects itself not simply with the duties of the present, but draws to itself an obligation for the future. It gives a sense of responsibility to any human being to reflect that what he is is not so much due to himself as to those who have given him the foundation of his character, and that what he does at the present time should be done responsibly with its effect upon those who are to come after him. [Applause.] Now, these are the feelings that a man from a younger country has in coming back in mature life to the scenes of those who were the founders of that younger country.

This Boston, this Boston of old England, is the mother and the name-giver of a younger and a stronger Boston far away across the sea. And yet the younger and the stronger Boston, the city that holds perhaps one-half million of inhabitants, owes so much—how much can not be fully stated or measured—to the little town of 20,000 people that preserves its existence and holds its own on this side of the Atlantic. [Applause.] If, looking round these impressive structures, these buildings that challenge the respect of those who survey them, you are tempted to exclaim "O mater pulcrior filiâ!" I think if you look across the ocean and see the fresh, strong, vigorous, picturesque city that bears the name of Boston there, you would exclaim, "O matre pulchrâ filiâ pulcrior!" [Applause.] But, gentlemen, between the old Boston and the new Boston there has run a current of feeling, not noisy, not violent, not sensational, but quiet and strong and true. The old Boston and the new Boston have both been nourished upon the same diet of religion, of morals, and of literature. [Applause.] The Bible that your forefathers read and that you read is the same Bible that is read, and always was read, in the new Boston of America. [Applause.] The principles of government, the ingrained love of personal liberty, is just the same on the other side of the Atlantic as it was and is, and, pray God, always may be, respected and cherished on this side of the Atlantic. [Applause.] The language that clothes the thoughts of men is the same on both sides of the Atlantic.

When we come to the great task of administering justice between man and man—when we come to frame a code of morals to which the law compels respect and exacts obedience, we find the principles are just the same in old Boston and in new Boston. [Applause.] What, then, is the distinction? We live under different governments, we pursue the same results by possibly different methods of administration, but the principles are just the same; the principles of truth, of honor, of duty are just the same on both sides of the Atlantic. We have the same purpose in sustaining our Government that you have in sustaining yours, and that is the promotion of justice among men. [Applause.] This

school is one of the nurseries of thought, of feeling, of national sentiment, all guided by the paths of education into higher and greater usefulness. Therefore it is that I am grateful that I am allowed to come to-day and take part in the common cause in which both branches of the English race are engaged ["Hear!' "Hear!"] and that is the advancement of those principles which tend to the elevation of human nature, to the safety and the honor of the people who live under the institutions of either country. [Applause.] I will not detain you longer, because I have the pleasing task of presenting to those who have earned them—palman qui meruit ferat—the books, the prizes, the proofs of honorable excellence in your studies, and without further delay from so pleasant a duty I will ask you, Mr. White, to permit me to proceed with the presentation. [Loud applause.]

The prizes were then distributed by Mr. Bayard, the list being as follows:

SPECIAL PRIZES, JULY, 1895.

Parry gold medal.—W. Swain; honorable mention, W. Burnet.

Classics.—Prize, T. K. Johnston, Scott's Novels; honorable mention, F. Porter.

Mathematics.—Prize, T. K. Johnston; honorable mention, F. Porter, Chambers' Cyclopædia, two volumes.

French.—Prize, W. Swain, Longfellow's poetical works; honorable mention, F. Porter.

English history and literature.—Prize, W. Burnet, Seyffert's Dictionary; honorable mention, W. Swain.

Member's prizes.—Prize, T. K. Johnston, Scott's novels; honorable mention, F. Porter, Wordsworth's Greece.

FORM PRIZES BY EXAMINATION.

Form V.—Prize, W. J. T. Small, Turkey and Persia; honorable mention, J. B. Simpson, A. E. Thistlethwaite, G. H. Gregory, C. W. Bazlinton.

Form IV.—Prize, F. B. Thompson, Jewett's Normans; honorable mention, B. Porter, P. W. Dunning, W. O. Cheesewright.

Form III.—Prize, H. Allen, From Log Cabin to White House; honorable mention, T. H. Horry, B. W. Gregory, W. S. Haller, F. Saul.

Form II.—Prize, A. F. Crow, Russell's Invasion of the Crimea; honorable mention, E. G. Hardy.

Form I.—Prize, S. Hayes, Atkinson's British Birds' Eggs; honorable mention, F. Weightman, S. Lucas, L. Tranter.

PRIZES BY TERM'S MARKS.

Form V.—Prize: Bazlinton, C. W.; Thistlethwaite, A. E.; Small, W. J. T.; honorable mention, Gregory, G. H., Longfellow's Poetical Works.

Form IV.—Prize: Joseph Cooke, Rawlinson's Ancient Egypt; honorable mention, W. F. Bazlinton, F. B. Thompson.

Form III.—Prize: H. Allen, Emerson's Essays; T. H. Horry, Abraham Lincoln; honorable mention, H. R. Sears.

Form II.—Prize: A. F. Crow, George Washington; honorable mention, C. W. Kemp, E. G. Hardy.

Form I.—Prize: S. Lucas, Triumphs of Invention and Discovery; honorable mention, S. Hayes, L. Buck.

JUNIOR ARITHMETIC.

Division I.—Prize: A. S. Cantwell, Wood's Natural History; honorable mention, H. Allen, H. Clark, T. H. Horry.

Division II.—Prize: C. W. Kemp, Holmes' Breakfast Table; honorable mention, P. W. Dunning, W. S. Haller.

Division III.—Prize: L. S. Harrisson, Washington Irving's Christopher Columbus; honorable mention, G. Cheesewright, S. Lucas.

OXFORD LOCAL PRIZES.

T. K. Johnston, Scott's Novels; F. Porter, Ganot's Physics and Seyffert's Dictionary; W. C. Burnet, Ball's Story of the Heavens; C. G. Barton, Ball's Story of the Heavens; E. H. Harrisson, Badminton Shooting; J. B. Simpson, Motley's Dutch Republic; A. E. Thistlethwaite, Prescott's Mexico; C. W. Bazlinton, Prescott's Peru.

In handing the prizes to the recipients, Mr. Bayard spoke a few kindly and encouraging words to each. His excellency seemed particularly pleased with the selection of prize books made from American literature. Mr. White remarked that Swain, the Parry medalist, had greatly assisted him in maintaining the tone and games of the school. Harrison, who secured an Oxford local prize, he said was captain of the cricket club and worked well with Swain for the good of the school in athletics. H. Allen, who took the prize in Form III, was one of the boys from an elementary school, provided with education at this school by the county council,

and Mr. White said they hoped to send him on to the university. [Applause.] Mr. White made complimentary remarks about other prominent boys in the prize list. Bazlinton, he said, was the son of a gentleman who had worked in that school for over half a century. [Applause.] The boy was now leaving school to take part in the battle of life, and the best thing he (Mr. White) could wish him was that his career might be as honorable and useful as his father's had been. [Applause.]

Mr. Garfit, M. P., rising at the close of the prize distribution, said:

LADIES AND GENTLEMEN: I am sure we are very much obliged to Mr. Bayard for so kindly giving away these prizes. [Applause.] As a very small memento of old Boston I have now the pleasure of presenting to him Thompson's History of Boston. [Applause.] I hope he may find some interest in the history of the old town, although of course it will not compare with the very large history which some of you may have seen of Boston in America. I can only thank his excellency for coming among us, and by that means helping still further to cement the good feeling that prevails between the two countries, because the youthful gentlemen present, no matter how long they may live and to whatever part of the world they may go, will always carry a happy remembrance of this day to their graves. [Applause.]

The Hon. T. F. Bayard, in acknowledging the gift, said:

I am most unaffectedly grateful for this most unexpected and delightful present. Among the books that I have distributed to-day I have observed the titles of a great many American books "Hear!" "Hear!" and I have understood the kindly feeling that suggested the selection of Holmes, of Emerson, Prescott—men who have carried forward into the New World the honor and the reputation of the Old. [Applause.] There is a little verse of Emerson's describing the new Boston. He calls it—

The rocky nook from headlands three
Looks eastward to the farms,
And twice each day the loving sea
Takes Boston in its arms.

[Applause.] Now the sea does not take Boston in its arms here in England, but you have given me a Boston that I can take to my arms. [Applause.] I do take it to my arms, and I assure you that I take it to my heart. [Loud applause.]

This concluding the proceedings, enthusiastic cheers were given for the distinguished visitor, for Mr. Garfit, M. P., the mayor, the trustees of the school. Mr. White, the other masters, and the ladies and the boys finished up by heartily singing their school hymn, "Flereat Bostonia!"

THE DINNER.

The mayor had arranged a complimentary banquet to his excellency, to follow the proceedings at the grammar school, and at half past five a large and representative company met in the assembly rooms, where a splendid dinner had been prepared by Mr. R. H. Clemow, of the Peacock and Royal Hotel. The tables had been beautifully set out, evincing a good deal of artistic taste, and the room altogether presented a brilliant spectacle.

The menu was as follows:

Croutes aux Anchois, puree de tomates, consomme a la julienne, saumon, sauce homard, soles frites a l'Anglaise, chaudfroid de cotelettes aux truffes, cailles en aspie, canetons aux petit pois, poulets et langue, quartier d'Agneau, aloyau a la broche, compote de fruites, creme au chocolat, gelee au curaçoa, pouding glacee. Desert: Raisins, ananas, peches, cerises.

Mr. F. Storr's string band played a capital selection of music during the dinner. The mayor (Ald. J. Clarke) occupied the chair, supported on the right by his excellency the Hon. T. F. Bayard, and there were also present Couns. John Beaulah and Josiah Beaulah, Mr. W. C. Botterill, Mr. G. C. Bland, the Rev. W. Blackshaw, Ald. W. and Mrs. Bedford, Coun. F. Blanshard, Mr. A. H. Cawood, Coun. J. Cooke, Dr. W. Clegg, Mr. B. B. Dyer, Mr. W. H. and Mrs. Gane, Mr. W. Garfit, M. P., Mr. A. Hill, Mr. K. Johnston, Mr. H. C. Johnson, Mr. A. Kime, Mr. and Mrs. J. G. Killingworth, Mr. and Mrs. W. Kitwood, Ald. T. Kitwood, Mr. Lucas, Mr. R. Newcomb, Mr. G. and Mrs. G. Pinches, Coun. W. and Mrs. Pooles, Mr. W. Porter, Mr. Passingham, Dr. W. J. Pilcher, Miss Rice, Mr. C. K. and Mrs. Rysdale, Dr. E. B. Reckitt, Mr. T. Slator, Mr. H.

Smith, Mr. R. W., Mrs., and the Misses Staniland, Mr. W. Swain. Mr. S. and the Misses Waite, Mr. H. Snaith, Coun. F. Thomas, Mr. F. T. White, Mr. W. White, Coun. S. Waddington, etc.

The mayor briefly proposed the toast of "The Queen, Prince and Princess of Wales, and the rest of the royal family." This having been duly honored, Mr. W. Garfit, M. P., who was received with considerable cheering, said:

Mr. MAYOR, LADIES, AND GENTLEMEN: I rise with very great pleasure to propose the next toast, especially so because it is one which will, I am sure, be received by the whole company with equal consent, the toast of the President of the United States. [Cheers.] I am sure that next to the toast which has been last proposed there is no toast which Englishmen could receive with greater pleasure than the one I am giving you. We can receive the toast of the head of any government or empire that is friendly to ourselves with great pleasure, but the United States is different to any other government, because blood is thicker than water, and they are not only our friends, but our cousins by blood. [Cheers.] I am sure when we think of the immense amount of harm that could be done between the two nations by any ill feeling, or the good that can be done by a continuance of the present good feeling, we can not but drink heartily the health of the President of the United States. [Cheers.]

Our chief trade is with the United States, and their largest trade, I believe, is with us. At all times, and still more so in this depressed times, our sons are going over and becoming citizens of the United States. Therefore I give you with very great pleasure the health of the President of the United States, and in doing so I may also say that we are much indebted to him and the late President for sending us such admirable ambassadors as they have done. If there is one thing more than another which has enhanced the good feeling between the two countries it is the able and sympathetic conduct of the ambassadors who have been with us during the last few years. I am sure I am expressing the opinion not only of the people of Boston, but of the people of England generally, when I hope that the present relations may not only remain as cordially as they are at present, but that their cordiality may be still further increased. I beg to couple with this toast the name of his excellency the Hon. T. F. Bayard. [Cheers.]

The Hon. T. F. Bayard, who was accorded so enthusiastic a reception that it was some time before he was able to commence his remarks, said:

Mr. MAYOR, LADIES, AND GENTLEMEN: I thank you most feelingly for the kind manner in which you have received this toast. I thank you for the toast of the Chief Magistrate of the country I represent, because the man who fills the office is my personal friend as well as my official chief [cheers] and no one, ladies and gentlemen, could have offered this toast more acceptably than Mr. Garfit, who has been proved by the late election to be a representative man. [Cheers.] I am sure that he spoke with all sincerity himself. I am sure that he spoke with all authority for you [cheers], and that he meant what he said and said what he meant. ["Hear!" "Hear!"] Therefore it is that I feel very grateful for the toast which you have so cordially received of the chief ruler of the country which it is my honor to represent.

The office of President of the United States is not only one of great dignity, but it is one of great responsibility and great anxiety. He is called to that position by the voice of his countrymen—not unanimously for that would be impossible—but is called by a majority of the voices of his countrymen and against oftentimes a powerful minority. Therefore there is no bed of roses for the man who occupies the position of President of the United States. He stands in the midst of a strong self-confident and oftentimes violent people—men who seek to have their own way, and men who seek to have that way frequently obstructed, and I tell you plainly that it takes a real man to govern the people of the United States. [Cheers.] Fortunately in this case there is a real man to govern the people of the United States and hold their highest office. [Cheers.] He may displease a great many, he may disappoint and obstruct a great many, and I hope he will continue to do so [cheers], but on the other hand there is not a man, woman, or child in the United States that does not in his or her heart respect the man who is their chief ruler. [Cheers.] His life is an open one; it is simple, straightforward, easy to be understood; it is surrounded by none of the forms that prevent inspection; it can be understood as fairly as the life of any private citizen, and even more so, because attention is directed to it.

We are told something of the fierce light that beats upon a throne, and the fierce light that beats upon a throne beats also upon a presidency, and every act, public or private, is open to inspection and receives it. Now, it is characteristic, and it is a great deal to be said for our race—I say our race ["Hear!" "Hear!"], for it is the same [cheers]—that whenever the people have been left free to choose their own ruler they have chosen the men, they have chosen a class of men who, however mistaken they may have been in the eyes of certain people, they have chosen a class of men about whose personal character there is not the slightest stain to be perceived. [Cheers.] To-day, therefore, in what we call in our simple fashion the White House—it is a good color; it is white and it is pure [cheers]—there is a manhood that has never shrunk, an honesty that has never been questioned, and an ability that finds respect everywhere. [Cheers.] These are the man's qualities, but in addition to that, my friends, there are the charms of as sweet a womanhood as ever dwelt in a man's house. [Cheers.]

Little children cluster round his knee and a fond and pure mother watches over them and rears them, and to-day the American people have the great cause of profound satisfaction that the home of their chief ruler is the home of an honest manhood, of a pure womanhood, and of an innocent childhood. [Cheers.]

These are the virtues that you in this dear old town of Boston cultivate in your own homes, the religion that brings you to your knees, the morality that checks any evil disposition, the integrity, the friendship, the charms of social life; these things that you care most for here, believe me, are fairly mirrored in the life of the Chief Magistrate of the United States. [Cheers.] These are not mere words, I am not only the representative selected by him for my country, but I am a personal witness of that of which I speak. For four years of my life I was a member of his Cabinet, for four years of my life I had charge of the foreign relations of my country, and during that time it was constantly my duty to see Mr. Cleveland in the morning, at noon, in the evening, at dead of night, at midnight. I saw him under all circumstances, I saw him in his household and out of it, I saw him in times of trial and in times of pleasure, and he always was the same man, true and steady, and manly and just. [Cheers.] I thank you for having drunk his health; I thank you, sir (Mr. Garfit), as the fittest man to propose it, as the representative of your people, and you, gentlemen, for the kind manner in which you have received it. [Loud cheers.]

THE ADDRESS.

The mayor, again rising, said:

You will all have seen that the corporation have decided to present an address to our illustrious friend, and I shall now have very great pleasure in calling on the town clerk to read that address.

The town clerk then read the address as follows:

To his Excellency the Hon. T. F. Bayard, Ambassador from the United States of America:

We, the mayor, aldermen, and burgesses of the borough of Boston are assured that we never more fully represented the wishes of all the inhabitants of our town than in offering you their most sincere welcome on your visit to Boston.

We know that you are the honored and distinguished representative of a great nation allied to us in bonds of kinship, with a language, literature, and a great and glorious past in common, but we Bostonians claim to have a special reason for welcoming an American to our town. From this place proceeded many of the leaders of the New England settlement and the founders of a community which has given its name to the great city of Boston in the United States. Time has worked many changes in our borough, but the parish church, where our common ancestors worshiped together, still remains in all its ancient grandeur, and we acknowledge with satisfaction that we are indebted greatly to the liberality of our cousins in America for the restoration of that part of the fabric called the Cotton Chapel.

We hope you may long remain in this country to draw, if possible, still closer the ties of friendship between the two nations, and that America and Great Britain may always, as close allies, join in spreading over the world the language and free institutions of their common race.

Given under the seal of the mayor, aldermen, and burgesses of the borough of Boston this 29th day of July, 1895.

The mayor, taking the address, which had been beautifully illuminated, from the hands of the town clerk, handed it to his excellency, and said:

I have pleasure, sir, in handing this to you on behalf of the citizens of the old Boston in England. I hope you will take it home with you, and that it will long retain in your memory recollections of your visit to our borough.

THE GUEST.

Dr. W. J. Pilcher next proposed "His excellency the Hon. T. F. Bayard." He said:

Mr. MAYOR, YOUR EXCELLENCY, LADIES, AND GENTLEMEN: If there is anything embarrassing in the idea of proposing the toast of so illustrious a guest, filled with such important possibilities and relationships as his excellency, our guest, to-night, that at least would fade in the consciousness I feel of the sincerity of the expressions which you have given to the reception of his work and of his name. We can only look in a twofold way at the position of his excellency. He comes to us an ambassador from our cousins. It is fit that he should come to the place that has sent the fathers of the best of his people [cheers], it is fit he should learn whether some of us are more or less degenerated samples of that great and proud people. [Laughter and cheers.] His excellency has suggested to-day that that noble community think highly of themselves, and it occurred to me when he said so that that might fairly be considered to be a lineal transition of the forces we feel proud of as an ancient people.

I need not say that when London was comparatively a village we in Boston returned the largest imports of the community of this great State. Ours was one of the largest emporiums of trade. All the trade of the Netherlands passed through here in antique ships, and the traditions of these memo-

ries are carried on, and if we have exhibited a little of that excessive pride I hope we may be pardoned in the recollection that we honor the pride of our cousins across the water. We joy in their freedom, freedom from the trammels of ancient methods and their constant growth, feeling, notwithstanding, that we are yet capable of teaching our young people a thing or two. We are learning vastly from them, and we hope to learn more, but we still feel that there is just a little to be learned by the younger community. But, turning from the public character of the diplomat, we are here to do homage to the individual. For a man to feel strongly his sense of duty to his own people and yet appreciate the delicacy of expressing the sympathy and heartfelt experiences of his own and our country are not the least of the arts and powers of diplomacy, and I might well feel proud if anything I could do in my life to cement the people could be done as handsomely and as graciously as the speech of his excellency I had the privilege to read, made somewhere, I believe, in Rhode Island. The making of communities depends largely upon the character of their ambassadors, and added to the charm with which he can maintain his own representative character, we have the invaluable recognition of our most earnest desire to learn more of his own people and his country, while on the other hand I am satisfied that the more he knows of us and the more he knows of his own people apparent difficulties will melt under his and others' most gracious influence into one indissoluble bond of eternal friendship. [Cheers.] I need only say one word more, to offer on your behalf our personal homage to his excellency for all his kind services of this day and of others, and to ask you to drink, as you will with perfect cordiality, his very good health. [Cheers.]

The Hon. T. F. Bayard, who was again enthusiastically received, said:

Mr. MAYOR, LADIES, AND GENTLEMEN: There is a good old English proverb warning you not to ride a free horse to death, and I fear that by my repetition of speeches I am trespassing upon your good nature and your patience too much. ["No!" "No!"] But if I do so I beg you will have justice to remember that it is your own fault. [Laughter.] Your kindness has been so great, your courteous hospitality so gracious, that it would be impossible I should not find words—however far short they might fall of my wish—to express to you my gratification and pleasure. This gracious address and its beautiful illumination I shall value—and, as you said, Mr. Mayor—take it home. That is the place for it. It is to go among those who care for me—to my family and to my children. And I can assure you that, though as years pass on these charming colors may fade, though they may grow a little more pale and less distinct, yet the occasion that brought them forth and the words they convey will not grow less distinct, either to my memory or the memory of those who come after me. [Cheers.] Perhaps I may say, if I am not guilty of repetition in saying it, that when our friend Mr. White came to me in London, or applied to me in London, and asked me to come to the exercises of your ancient school, one of the strongest impulses which urged me to do so was that it was the ancient home of my own people. [Cheers.] It was the ancient home of the American Bostonians. [Renewed cheers.] And while I was not born in Boston, and have not lived there, yet there were a family of little children who are my grandchildren living in Boston, and I thought for their fathers and mother's sake in their homes, how pleased they would be to know that I had shown respect and sympathy for the people, the affairs, of the old English Boston from which their name had come. [Cheers.]

You see that blood is thicker than water. [Cheers.] And you see how very easily and how naturally the affectionate forces impress themselves upon a man's actions. It is a very common thing to believe that life is controlled chiefly by the passions. I do not believe it. I believe that if history shall ever be fairly read, and if anyone will consider their whole life, they will find the affections are far stronger than the passions, and those quiet forces which in the end make for the happiness of the country, are those that are gathered in domestic life and found in the interchange of friendly association. [Cheers.] As to diplomacy, as it is called, between nations, I confess I do not believe in it. [Laughter.] I believe the best diplomacy consists in perfect frankness. ["Hear!" "Hear!"] The best diplomacy consists in removing and preventing misunderstanding. The people should have the case, such as it is, laid honestly before them, and then their better instincts must be appealed to for the purpose of settling it. [Cheers.] If this rule were followed I frankly say to you that I can not imagine that there ever could be serious difficulty between the two countries that speak the English tongue, and as far as in me lies I shall endeavor always to present the case so that England can accept with honor, and can accept with safety, and for the welfare of this country as well as my own. [Cheers.]

But, ladies and gentlemen, this is no time nor is there any need in this attempt of mine to render thanks for your great kindness, and to say how much I have enjoyed your hospitality; how glad I was to see this old school; how glad I am to hear it is prosperous and strong, and that you are sending forth into the community young men who are to serve the country when we are here or gone. But the country is strengthened by just such forces as are represented in the grammar school of Boston. [Cheers.] If my coming here to-day shall give any aid or encouragement, however slight, to the cause for which that school was established; if it shall have given pleasure to the inhabitants of the town; if it shall have brought about a better feeling between the inhabitants of the old Boston and the new Boston, then my visit will have been thoroughly successful. [Cheers.] Well let me, in taking my seat, and thanking you for your kindness and your gracious hospitality, let me offer the health of your worthy representative of your city, and join with me in drinking to the health of the mayor and mayoress of Boston. [Loud cheers.]

The toast having been honored, the mayor, who was loudly applauded, said:

Mr. BAYARD, LADIES, AND GENTLEMEN: I thank you for the way in which you have received this toast. I have done no more than I felt to be my duty in welcoming so illustrious a stranger amongst us. [Cheers.] I thank him again for proposing my health, and on behalf of the town I thank him very much for paying us this visit. [Cheers.]

Alderman Bedford, being called on for the next toast, said:

With my usual ill luck, being a sort of round man, I am again called upon to fill a square place, but I can not begin what I have to say without saying how extremely gratified we all are to see our illustrious guest. I had the honor some years ago to be mayor of Boston, and one of the most pleasant recollections I shall ever have of that time is of the friendships I formed with the people of new Boston. [Cheers.] There is never a summer passes but what I see some of them at my house, and only last Sunday I had a father, son, and daughter to see me, and I have no doubt that when Mrs. Bedford permits me to go over to new Boston alone I shall have a high old time. [Laughter and applause.] However, his worship has been good enough to ask me to propose a toast, and coming as it does from one of the most bashful and retiring of men, I am sure I can not do justice to it.

There has always been a want of confidence with me where ladies are concerned. ["Hear!" "Hear!"] This toast should have fallen to a younger and more inexperienced man, because it is very difficult to catch old birds with chaff, and if I make a mistake I have the fear of Mrs. Caudle. [Laughter.] But I say at once that a man who does not—even if he is getting on in life—feel pleased and proud to propose the health of the ladies would be considerably less than an American and a very bad Englishman indeed. [Cheers.] I can only say that proud as I am of our old country and our new country, and no man can admire them both more than I do, I hope I shall lose my admiration for both of them before I lose my special admiration for the ladies. [Cheers.] I have the greatest possible pleasure in proposing the health of the ladies, for I am sure they have lent grace and pleasure to this meeting; and whoever else it has pleased it has pleased me as much as anyone here.

Mr. B. B. Dyer responded on behalf of the ladies.

By this time 8 o'clock had arrived, and as his excellency was compelled to leave by the 8.15 train for London, the proceedings were brought to a close. A crowd had assembled in the market place and the ambassador was loudly cheered as he drove away.

[The Boston Independent and Lincolnshire Advertiser, Saturday, August 10, 1895.]

The Boston grammar school, now under the principalship of Mr. W. White, M. A., held its speech day and prize distribution on Friday in last week, and it may safely be asserted that it will in future be regarded as a red-letter day in the history of the foundation. The presence of his excellency, the Hon. T. F. Bayard, the American ambassador, and the part taken by him in the proceedings invested the function with exceptional interest, and every boy now on the foundation, and especially those who received prizes at the hands of the distinguished visitor, will look back upon it with pride to the end of his days. It was a happy inspiration that prompted Mr. White to press his excellency to spare a few hours from his important work in London to come down and distribute the prizes on this occasion, for the school, long one of the foremost of its kind in the Kingdom, never stood in so high a position as it does to-day. As fittingly remarked by Mr. Garfit, it has done well in times that are gone by, but it has never done so well as it has during the last five years. The long list of university honors gained by pupils of the school in recent years, which was read by Mr. White, was an eloquent confirmation of the statement made by the member for the borough. These successes could not possibly have been more appropriately signalized than they were by the presence and appreciative utterances of the American ambassador on Friday, and those who were privileged to hear these graceful utterances will not be likely to forget them for some time to come.

But apart from its connection with the grammar school Mr. Bayard's visit to Boston must be regarded as a memorable event in the history of the old town—an event, moreover, not less agreeable to him, we believe, than it was to the leading citizens on whom devolved the pleasant duty of according him the hearty welcome he received at the assembly rooms. Boston, the mother and name giver—to quote Mr. Bayard's happy phrase—of the larger, more important, and more widely known Boston

on the other side of the Atlantic, has been visited many a time and oft by Americans on their tours through the old country. For many of these visitors, especially those from New England, there is no place in any part of the Old World that possesses more interest than our quaint old town. It was from here that the "men of the *Mayflower*" went forth more than two centuries ago in search of that freedom of religious thought and worship no longer allowed them in this country. From here, too, went forth the Rev. John Cotton, many years vicar of the parish, and who, like the men of the *Mayflower*, settled down in New England, and in honor of whom the younger Boston was named. Many of these visitors have been personages of distinction in their own country and not without fame in this, but it may safely be asserted that not one of them has been so distinguished as our guest of last week. Old Boston has reason to be proud of his visit, not only because of the exalted position he holds, but because of his family associations with New Boston. He was not born is Boston, nor did he ever make it his home, but he was mindful to inform his hearers at the assembly rooms that he had grandchildren living there, and that the thought of giving pleasure to them and their parents by coming here bulked largely in his mind when he accepted Mr. White's invitation. His visit was all too brief, but brief as it was there can be no manner of doubt that it will have the effect of increasing and strengthening the good feeling and the genuine friendly intercourse which has long subsisted between the two Bostons, which, though widely separated by space, are one in heart and mind and purpose.

[The Boston Independent and Lincolnshire Advertiser, Saturday, August 10, 1895.]

SPEECH DAY AT BOSTON GRAMMAR SCHOOL—VISIT OF THE AMERICAN AMBASSADOR.

The annual speech day at Boston Grammar School took place on Friday afternoon in last week, and the event, at all times interesting and important, was, on the present occasion, exceptionally interesting and important on account of the visit of his excellency the Hon. T. F. Bayard, the American ambassador, who, at the request of Mr. W. White, M. A., the head master of the school, kindly undertook the distribution of the prizes. The lineage of our distinguished guest can be traced back to the same family as that of the "ideal of chivalry," the Seigneur Pierre du Terrail de Bayard, the "Chevalier sans peur et sans reproche." His ancestors were Huguenots who left France for the very same cause that the men of old Boston settled in New England—freedom of religious thought and worship. Mr. Bayard is the first American ambassador who has visited this country. His predecessors had only the title of minister. It is a very gracious act of courtesy that his excellency, amid the many cares and engagements of his high office, has found time to knit closer the ties of kinship and good feeling between the old and the new Boston by visiting this ancient borough to do an act of kindness to its grammar school. His excellency arrived by special train at half-past 12 o'clock, and was welcomed at the station by Mr. W. Garfit, M. P., Mr. W. White, and Dr. Pilcher, and was subsequently entertained at luncheon by Mr. White in the council chamber of the guildhall, a small number of ladies and gentlemen being invited to meet him.

The proceedings at the grammar school commenced at half past 2 o'clock, but for some time prior to that hour visitors solicitous of obtaining a good position began to arrive. In order to avoid an undue crowd, invitations were issued, and admission was only obtained by ticket, the demand for which was very great. The schoolroom was prettily and profusely decorated with plants and flowers and flags and colors, and had a very pleasing appearance. Mr. W. Garfit, M. P., the chairman of the charity trust, presided, and he was supported on the platform by the Hon. T. F. Bayard, the mayor (Ald. Clarke), Dr. Pilcher, J. P., Mr. S. Waddington, J. P., Mr. J. Wren, Mr. W. Pooles, Mr. W. White, the Rev. E. S. Roberts, senior fellow of

Caius College, Cambridge, Mr. A. Hill, Mr. J. F. Bazlinton, Mr. A. H. Cawood, and Mr. G. Passingham. The room was filled with the parents and friends of the boys, among those present being: Mrs. Allen, the Misses Adam, Miss Bothamley, Mr. W. C. Botterill, Mr. J. Barton, Mr. F. and Mrs. Blanshard, Mrs. Burnet, Miss Barton, Rev. W. Blackshaw, Miss E. Bothamley, Rev. J. G. Collis, Mr. Claypoole, Dr. W Clegg, J. P., Mr. G. and Mrs. Cheavin, Miss Clegg, Mr. B. B. Dyer, Mrs. H. H. Dodds, Miss Elkington, Rev. W. T. Fielding, Captain and Mrs. Gane, Mr. G. H. Gregory, Mus. Bac., Mr. R. Hayes, Mr. T. Hand, Mr. J. Hill, Mr. E. Hackford, Mr. S. J. Hurst, Miss Ingamells, Mr. H. C. Johnson, Mr. and Mrs. Johnson (Spalding), Mr. W. and Mrs. Kitwood, Mr. C. Lucas, Rev. C. H. Lowe-Hopper, Mr. T. and Mrs. Marris, Rev. H. N. Nash, Mr. R. Newcomb, Mrs. Price, Mrs. Phillips, Mrs. and the Misses Pooles, Mrs. Porter, Mr. W. and Mrs. Porter, Mr. G. and Mrs. Rainey, Mr. C. W. and Mrs. Rysdale, Mrs. and Miss Rice, Mrs. Reading, Dr. T. Small, J. P., Mr. H. Snaith, Mr. R. H. and Mrs. Swain, Mr. T. and Mrs. Slator, Mr. T. Slator, jr., Mrs. H. Snaith, Mrs. Stephenson, Mr. J. W. Souden, Mr. E. H. Shepherd, Mr. J. M. and Mrs. Simpson, Mrs. and the Misses Staniland, Mr. G. Shaw, Rev. W. Sexton, Dr. A. H. Smith, Mr. E. S. Smith, Mrs. F. and Miss Thomas, the Misses Towell, Mr. J. Thompson, J. P., and Mrs. Thompson, Mr. Thistlethwaite, Mr. E. and the Misses Waite, Mr. H. and Mrs. Wheeler, Mr. T. White, Rev. P. E. Wilson, Mrs. Wilson, Miss Yeatman, and others.

Mr. Garfit, M. P., who was received with prolonged cheers, said it fell to his happy lot as chairman of the trustees of that school to be present and to take the chair that day, and he did so with greater pleasure than usual because they had among them his excellency the Hon. T. F. Bayard, the ambassador from the United States. [Cheers.] His visit was very gratifying to them, because it showed that he appreciated the ties which drew the old and the new country together. The ambassador had within the last few minutes expressed this sentiment, and he (Mr. Garfit) was quite certain that Englishmen were second to none—certainly not to the inhabitants of the United States—in wishing to have a cordial feeling between the old and the new country. [Cheers.] They felt very much honored by Mr. Bayard's presence that day, and he (Mr. Garfit) would not detain them, because Mr. Bayard had been good enough to promise to give away the prizes on that occasion; but he could not help thinking, as Mr. Bayard himself said a little while ago, what the Americans had learned from the English and what the English had learned from the Americans helped to improve both countries and to improve the relations between the two. [Cheers.] Since the election he had been away for a few days holidaying, and he had been yachting, and, as they knew, the Americans and the English were very jealous of each other in reference to this sport. The English did their best to win when they could, but unfortunately up to the present time they had never been able to win a single race. They still hoped that the happy time might come when they would win a race, but if that time never came they would at least have the satisfaction of having learned something, for whereas their boats used to be different, they were now built from the same type, and superseded the boats of any other nation. He could not help thinking the more intimate their relations were the better it would be for the institutions of both countries.

As England had adopted one or two American ideas, the Americans had adopted one of theirs by sending their first ambassador to the United Kingdom. [Cheers.] They were extremely obliged to him for being present that day to present the prizes in that school. It had done very well in times that had gone by, but it had never done so well as it had done during the last five or six years under the able management of its present head master. [Cheers, and Mr. White, "No!" "No!"] The head master said. "No!" "No!" and he was quite right in giving a great amount of praise to Dr. Pattenden, who managed the school before him, but he must repeat his words, that the school had never done so well as it had done during the last five years. [Mr. White: "And I must repeat, No! No!"] He thought the honors obtained by this comparatively small school, both at Oxford and Cambridge, since 1889, would satisfy everybody

on that point. He might also tell his excellency that last year in the Oxford local examination, in which 4,000 or 5,000 boys were examined, of which one-half passed, that school sent up the absolutely first and second boys in England. [Cheers.] That was an honor unprecedented in any school in England. [Cheers.] He asked Mr. White to read the reports of the list of honors obtained by the school.

Mr. W. White, M. A., the head master, who was accorded a flattering reception, read the honors gained during the last seven years, as follows:

1889.—*D. L. Johnston, open scholarship at Emmanuel College, Cambridge; *Fifteenth place in the list of successful candidates for the Indian civil service. *T. Slator, open scholarship at Pembroke College, Oxford. *J. A. Johnston, open exhibition at King's College, Cambridge. *P. W. A. Wilson, open exhibition at Wadham College, Oxford.

1890.—C. B. Wedd, scholar of Caius College, Cambridge; first class in the Classical Tripos. *J. A. Johnston, open scholarship at King's College, Cambridge. *F. S. Craven, open scholarship at Jesus College, Cambridge.

1890.—A. E. Wilson, science scholarship at St. Mary's Hospital, London.

1891.—B. W. Wood, scholar of Sidney College, Cambridge; first class in the Classical Tripos. P. W. A. Wilson, exhibitioner of Wadham College, Goldsmith's Oxford University Exhibition. T. Slator, scholar of Pembroke College, Oxford; first class in mathematics in the first public examination; proxime for the junior university mathematical scholarship with "prize for excellence of work," also college prize.

1892.—*R. Slator, open scholarship at Jesus College, Cambridge. P. W. A. Wilson, exhibitioner of Wadham College, Oxford; first class in mathematics in the first public examination; college prize. J. A. Johnston, scholar of King's College, Cambridge; college prize. F. S. Craven, scholar of Jesus College, Cambridge; college prize.

1893.—*W. H. Claypoole, open scholarship at Merton College, Oxford. T. Slator, scholar of Pembroke College, Oxford; Goldsmith's Oxford University Exhibition. J. A. Johnston, foundation scholarship at King's College, Cambridge. F. S. Craven, scholar of Jesus College, Cambridge; additional scholarship and college prize. R. Slator, scholar of Jesus College, Cambridge; additional scholarship.

1894.—T. Slator, scholar of Pembroke College, Oxford; first class in the final honor school of mathematics; scholarship prolonged. J. A. Johnston, scholar of King's College, Cambridge; twenty-second wrangler in the mathematical tripos; college prize and scholarship prolonged. F. S. Craven, scholar of Jesus College, Cambridge; twenty-ninth wrangler; college prize and scholarship prolonged. P. W. A. Wilson, exhibitioner of Wadham College, Oxford; second class in the final honor school of mathematics; prize of £25 from the Goldsmith's Company. A. E. Wilson, M. B. London University. R. Slator, scholar of Jesus College, Cambridge; additional scholarship and college prize; first class in the intercollegiate examinations of the year. W. C. Hall (late Parry scholar), Owen's College, Manchester; B. A. of Victoria University.

1895.—T. Slator, scholar of Pembroke College, Oxford; honors in natural science school. J. A. Johnston, scholar of King's College, Cambridge; honors in natural science tripos. R. Slator, scholar of Jesus College, Cambridge; senior optime in the mathematical tripos. W. H. Claypoole, scholar of Merton College, Oxford; second class in mathematics in the first public examination. F. Armstrong, LL. B.; first class at London University. E. Waite; first LL. B. London University. J. Calver; first class in advanced mathematics at the South Kensington examination. *E. A. Ingram; clerkship in the home civil service, gained by competitive examination.

London University.—Matriculation, 1895: *T. K. Johnston, honors; *C. G. Barton, first division; *F. Challans, first division; A. R. Schofield, second division.

Oxford—Local examinations—July, 1894.—The total number of candidates was 4,232, namely, 2,878 juniors, and 1,354 seniors. Of these, 1,975 juniors, and 852 seniors passed. The first class in order of merit in seniors contains 29 names. T. K. Johnston, of Boston Grammar School, heads the list, F. Porter, of the same school, being second.

Seniors—First-class honors.—T. K. Johnston, first of all candidates in the Kingdom, distinction in arithmetic, mathematics, Latin, religious knowledge, Greek, French, and English, with certificate including arithmetic, algebra, Euclid, conic sections, analytical geometry, statics, dynamics, hydrostatics, trigonometry, heat, Latin, French and Greek translation, and composition, English grammar, literature, history, and geography. F. Porter, second of all candidates in the Kingdom, distinction in mathematics, Latin, Greek, and English, with certificate in the same subjects as T. K. Johnston.

Second class.—F. Challans, certificate in arithmetic, religious knowledge, English grammar, literature, history, and geography, Latin, French, Euclid, algebra, statics, dynamics, hydrostatics, and heat. W. C. Burnet, distinction in English, certificate in arithmetic, religious knowledge, English grammar, literature, history, and geography, Latin, French, statics, dynamics, hydrostatics, and heat.

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*These distinctions were gained direct from the school.

Passed.—C. G. Barton, G. W. Hand, E. H. Harrison, A. R. Schofield, and E. W. Schofield. All the above receive the title of associate of arts of the University of Oxford.

Juniors—Honors second-class.—A. W. Grocock, with distinction in Latin.

Honors third-class.—J. B. Simpson, A. E. Thistlethwaite.

Passed.—C. W. Bazlinton.

The highest honor, he said, was in the fact that two boys from the school headed the list in the Oxford local examinations. This would show his excellency what the boys from that school could do in competition with boys selected from other schools in the Kingdom. Johnston and Porter, although juniors in years, actually headed the list of the seniors in that examination. [Cheers.] He believed it to be without precedent for any school to head the list with two seniors, but the Boston grammar school had done better than that in heading the list with two juniors. He read the examiners' reports, as follows:

Report of the classical examination by Rev. T. W. Chambers, M. A., Sidney Sussex College, Cambridge, assistant master at city of London school.

To the Trustees of the Boston Grammar School.

GENTLEMEN: At the request of the head master, I have examined the sixth form in classics and the fifth form in Latin translation.

In both Greek and Latin prose sentences involving idioms were set for translation as well as a continuous piece. A good acquaintance was shown with the Latin idioms, and also with the easier sentences for translation into Greek, and the continuous pieces were creditably translated in both cases.

In the translation from a Greek author into English, all the boys did satisfactorily, translating with great accuracy, and showing a good knowledge of Homeric forms. The translation from Latin authors was scarcely less accurate, but the field was wider, the writers studied being Cæsar, Tacitus, Virgil, Horace, and Juvenal, the last two being taken up by one or two boys. Pieces of unseen translation from Livy in Latin from Xenophen in Greek were well responded to. Altogether I consider the work of the sixth form very sound and thorough.

The fifth form were examined in Cæsar, books 2, 3, and 4. The standard of marks obtained was not quite so high as in the sixth form, but their papers gave evidence of solid work on the part of the whole class, and very few bad mistakes were made. In all the work I examined the boys seemed to me to be thoroughly well drilled, and to have mastered the difficulties of the subject.

I have the honor to be, gentlemen, your obedient servant,

T. W. CHAMBERS.

JULY 30, 1895.

Report of the mathematical examination of Boston Grammar School, by H. Richmond, esq., M. A., Fellow of King's College, Cambridge, and examiner in the mathematical tripos, 1895.

To the Trustees of the Boston Grammar School:

I can speak very highly of the mathematical work sent up to me. In the fifth form the two papers set (on Euclid and algebra, respectively) were both extremely well done, and showed that the subjects had been prepared with very great care; many of the lower boys in the form who, having read less than than the others, were unable to gain high marks on the whole paper, obtained nearly full marks in those earlier questions which they were able to attempt.

The four papers set to the sixth form were intended to be of the same standard as those usually set in examinations for open scholarships and exhibitions at the university, and were considerably more difficult than the papers ordinarily set in schools; in these the two first boys did extremely well; to gain 76 and 68 per cent on such papers is an excellent performance and quite up to scholarship mark.

I consider the work of the fifth and sixth forms to be of exceptionally high merit.

HERBERT W. RICHMOND.

KING'S COLLEGE, *Cambridge, July 30, 1895.*

The subjects for examination of the sixth form were algebra, Euclid, trigonometry, conic sections (geometrical and analytical), statics, dynamics, hydrostatics, heat, differential, and integral calculus.

The Hon. T. F. Bayard was received with great cheering on rising to deliver his address. He said:

Ladies and gentlemen, and if I may, without offense, I would emphasize it and say, young gentlemen—I beg leave in the simplest manner possible to make expression of the great satisfaction of the personal pleasure and gratification that I feel in coming from my scene of duty at London to be present and to assist at this scene of the award of merit to scholars of this ancient and honorable school. There is something, that probably the younger gentlemen that I address will understand the better, when more years have passed over their heads—there is something in coming back to the scenes, the times and the history of the past—there is a refreshment, there is a confirmation that comes from thinking of an honorable past that connects itself, not simply with the duties of the

present, but draws to itself an obligation for the future. It gives a sense of responsibility to any human being to reflect that what he is is not so much due to himself as to those who have given him the foundations of his character, and that what he does at the present time should be done with a responsibility of its effect upon those who are to come after him. [Cheers.] These are the feelings that a man from the younger country has in coming back, in mature life, to the scenes of those who were the founders of that younger country.

This Boston of old England is the mother and the name-giver of the younger and of the stronger Boston far away across the sea, and yet the younger and the stronger Boston, the city that holds perhaps one-half million of inhabitants, owes so much—how much can not be fully stated or measured—to the little town of 20,000 people that preserves its existence and holds its own on this side of the Atlantic. [Cheers.] If, looking round these impressive structures, these buildings that challenge the respect of those who survey them, you are tempted to exclaim, O mater pulchra, I think if you would look across the ocean and see the fresh, strong, vigorous, picturesque city that bears the name of Boston you would exclaim, O pulchrior filia. [Cheers.] But between the old Boston and the new Boston there is running a current of feeling, not noisy, not violent, not sensational, but quiet and strong and true. The old Boston and the new Boston have both been nourished upon the same diet of religion, of morals, and of literature. [Cheers.] The Bible that your forefathers read, and that you read, is the same Bible that is read, and always was read, in the new Boston of America. [Cheers.] The principles of government, the ingrained love of personal liberty is just the same on the other side of the Atlantic that it was and is, and, pray God, always may be respected and cherished on this side the Atlantic. [Cheers.] The same language that clothes the thoughts of men is the same upon both sides of the Atlantic.

When we come to the great task of administering justice between man and man, when we come to frame a code of morals to which the law compels respect and exacts obedience, we find the principles are just the same in old Boston as in new Boston. What then, is the distinction? We live under different governments, we pursue the same results by possibly different methods of administration, but the principles are the same. The principles are the same truth, of honor, of duty—they are just the same on both sides of the Atlantic. We have the same purpose in sustaining our Government that you have in sustaining yours, and that is the promotion of justice among men. [Cheers.] This school is one of the nurseries of thought, of feeling, of national sentiment, all guided by the paths of education into higher and greater usefulness, therefore it is that I am grateful that I am allowed to come to-day to take part with you in the common cause in which both branches of the English race are engaged [cheers], and that is the advancement of those principles which tend to the elevation of human nature and to the safety and honor of the people who live under the institutions of either country. [Cheers.] I will not detain you longer, because I have the pleasant task of presenting to those who have earned them, palmam qui meruit ferat, the books, the prizes, the proofs of honorable excellence in your studies; and without further delay from so pleasant a duty I will ask Mr. White to permit me to proceed in the presentation. [Cheers.]

The prizes were then presented as follows:

Parry gold medal.—W. Swain; honorable mention, W. Burnet.

Classics.—Prize, T. K. Johnston (Scott's Novels); honorable mention, F. Porter.

Mathematics.—Prize, T. K. Johnston; honorable mention, F. Porter (Chamber's Cyclopedia, 2 vols.).

French.—Prize, W. Swain (Longfellow's Poetical Works); honorable mention, F. Porter.

English history and literature.—Prize, W. Burnet (Seyffert's Dictionary); honorable mention, W. Swain.

Member's prizes.—Prize, T. K. Johnston (Scott's Novels); honorable mention, F. Porter (Wordsworth's Greece).

Form prizes by examination.—Form V: Prize, W. J. T. Small (Turkey and Persia); honorable mention, J. B. Simpson, A. E. Thistlethwaite, G. H. Gregory, C. W. Bazlinton. Form IV: Prize, F. B. Thompson (Jewett's Normans); honorable mention, B. Porter, P. W. Dunning, W. O. Cheesewright. Form III: Prize, H. Allen (From Log Cabin to White House); honorable mention, T. H. Horry, B. W. Gregory, W. S. Haller, F. Saul. Form II: A. F. Crow (Russell's Invasion of the Crimea); honorable mention, E. G. Hardy. Form I: S. Hayes, (Atkinson's British Birds Eggs); honorable mention, F Weightman, S. Lucas, L. Tranter.

Prizes by term's marks.—Form V: C. W. Bazlinton, E. A. Thistlethwaite, T. J. W. Small, honorable mention. Prize, G. H. Gregory (Longfellow's Poetical Works.) Form IV: Prize, J. Cooke (Rawlinson's Ancient Egypt); W. F. Bazlinton and F. B. Thompson, honorable mention. Form III: Prize, H. Allen (Emerson's Essays), prize, T. H. Horry (Abraham Lincoln); honorable mention, H. R. Sears. Form II: Prize, A. F. Crow (George Washington); honorable mention, C. W. Kemp and E. G. Hardy. Form I: Prize, S. Lucus (Triumphs of Invention and Discovery); honorable mention, S. Hayes and L. Buck.

Junior arithmetic.—Division I: Prize, A. S. Cantwell (Wood's Natural History); honorable mention, H. Allen, H. Clark, and T. H. Horry. Division II: Prize, C. W. Kemp (Holmes' Breakfast Table); honorable mention, P. W. Dunning and W. S. Haller. Division III: Prize, L. S. Harrison (Washington Irving's Christopher Columbus); honorable mention, G. Cheesewright and S. Lucas.

Oxford local prizes.—T. K. Johnston (Scott's Novels); F. Porter (Ganot's Physics and Seyffert's Dictionary); W. C. Burnet (Ball's Story of the Heavens); C. G. Barton (Ball's Story of the Heavens); E. H. Harrison (Badminton Shooting); J. B. Simpson (Motley's Dutch Republic); A. E. Thistlethwaite (Prescott's Mexico); C. W. Bazlinton (Prescott's Peru).

Walter Swain was loudly cheered as he stepped forward to receive the gold medal bequeathed by the late Mr. Thomas Parry to be presented to the ablest scholar of the year. The following is the list of the scholars who have received the medal in years past:

F. W. Pattenden, 1875, New College, Oxford; R. J. Reynolds, 1876, Sidney College, Cambridge; W. F. Dingwall, 1877, St. Peter's College, Cambridge; A. J. Grant, 1878, King's College, Cambridge; C. Q. Knowles, 1879, Trinity College, Cambridge; V. Howard, 1880, St. Catharine's College, Cambridge; T. H. Baxter, 1881, St. Catharine's College, Cambridge; E. T. Allen, 1882, Jesus College, Cambridge; C. H. Lowe, 1883, Christ Church, Oxford; G. W. N. Lowe, 1884, Trinity College, Cambridge; H. W. Palmer, 1885, St. Catharine's College, Cambridge; D. L. Johnston, 1886, Emanuel College, Cambridge; B. W. Wood, 1887, Sidney College, Cambridge; P. W. A. Wilson, 1888, Wadham College, Oxford; J. A. Johnston, 1889, King's College, Cambridge; T. Slator, 1890, Pembroke College, Oxford; R. Slater, 1891, Jesus College, Cambridge; W. H. Claypole, 1892, Merton College, Oxford; T. K. Johnson, 1893; F. Porter, 1894; W. Swain, 1895.

When C. W. Bazlinton came up for his prizes, Mr. White introduced him to the American ambassador as the son of Mr. Bazlinton, who had worked in the school for upwards of fifty years. Bazlinton, he said, was now leaving school to take part in the battle of life, and the best wish he could wish him was that he might go through life with as honorable a career as his father had done. [Cheers.]

Mr. Garfit, at the conclusion of the presentation of the prizes, thanked Mr. Bayard for his presence and assistance, and said that as a small memento of the occasion he now had pleasure in presenting Mr. Bayard with a copy of "Thompson's History of Boston." [Cheers.] In it he hoped he would find something of interest relating to the old town, although it could not compare with the large history of the Boston in America. He again thanked Mr. Bayard for coming among them and by that means still further cementing the good feeling which prevailed between the two countries. [Cheers.]

Mr. Bayard said:

I am deeply grateful for this unexpected present. Among the books that I have distributed to-day I have observed the titles of a great many American Bostonians [cheers], and I have understood the kindly feeling that suggested the selection of Holmes, of Emerson, of Prescott, men who have carried forward into the New World the honor and the reputation of the Old. There was a little verse in which Emerson described the new Boston—

> The rocky nook, from headlands three,
> Looks eastward to the farms,
> And twice each day the loving sea
> Takes Boston in its arms.

Now the sea does not take Boston in its arms actually here in England, but you have given me a "Boston" that I can take to my arms. [Cheers.] I do take it to my arms, and I assure you I take it to my heart. [Cheers.]

The boys sang the school hymn, Floreat Bostonia, composed by Dr. Pattenden, after which cheers were given for the American ambassador, Mr. Garfit, the mayor, the trustees, Mr. White, and the masters, and the ladies, and the proceedings terminated.

In the afternoon Mr. Bayard visited the parish church and other places of interest.

COMPLIMENTARY DINNER IN THE ASSEMBLY ROOMS—PRESENTATION OF AN ADDRESS FROM THE CORPORATION.

At half-past 5 o'clock his excellency was entertained at a complimentary banquet in the assembly rooms, and was the recipient of a handsomely illuminated address from the corporation. The mayor (Alderman Clarke), who wore his robe and chain of office, presided, and he was supported on the right by the Hon. T. F. Bayard, and

on the left by Mr. W. Garfit, J. P., D. L., the borough member. The following ladies and gentlemen were present:

Hon. T. F. Bayard, Coun. Jno. Beaulah, J. P., Coun. Jos. Beaulah, Alderman Bedford, Mrs. Bedford, Coun. Blanshard, Mr. W. C. Botterill, Mr. G. C. Bland, Rev. W. Blackshaw, Alderman Clarke, Coun. Cooke, Dr. W. Clegg. J. P., Mr. A. H. Cawood, Mr. B. B. Dyer, Mr. W. Garfit, M. P., Captain Gane, Mrs. Gane, Mr. Hall, Mr. A. Hill, B. A., Mr. K. Johnston, Mr. H. C. Johnson, Mr. T. Kitwood, Mr. W. Kitwood, Mrs. Kitwood, Mr. A. Kime, Mr. J. G. Killingworth, Mrs. Killingworth, Mr. C. Lucas, Mr. R. Newcomb, Dr. Pilcher, J. P., Mr. W. Porter, Coun. Pooles, Mrs. Pooles, Mr. G. Pinches, Mrs. Pinches, Mr. G. Passingham, B. A., Surgeon-Major Reckitt, Miss Rice, Mr. C. W. Rysdale, Mrs. Rysdale, Mr. H. Smith, Mr. R. W. Staniland, Mrs. Staniland, Misses Staniland, Mr. W. Swain, Mr. H. Snaith, Mr. T. Slator, Coun. Thomas, Maj. F. T. White, J. P., Coun. Waddington, J. P., Mr. W. White, M. A., Mr. S. Waite, Miss E. Waite, Miss M. Waite.

The dinner was provided by Mr. R. H. Clemow, of the Peacock and Royal Hotel, and the menu was as follows: Croûtes aux anchois. Purèe de tomates, consommé à la Julienne. Saumon, sauce Homard; soles frites à l'Anglaise. Chaudfroid de cotelette aux truffes; cailles en Aspie. Canetons aux petit pois; poulets et Langue. Quartier d'Agneau; Aloyau à la Broche. Compote de fruites; crème au chocolat; gelèe au Curacöa. Pouding glacée. Dessert: Raisins, ananas, pêches, cerises.

During the dinner selections of music were played by Mr. F. Storr's string band.

After dinner the mayor briefly proposed the health of the Queen and the members of the Royal family, and the toast was honored with enthusiasm.

Mr. W. Garfit, M. P., proposed "the health of the President of the United States." Next to the toast last proposed, he said, there was no toast which Englishmen would receive with greater pleasure than this. They would receive the toast of the head of any empire friendly with themselves, but they would receive the toast of the President of the United States with especial pleasure because blood was thicker than water, and the Americans were not only their friends but they were their cousins by blood. [Cheers.] When they remembered the amount of harm which could be done by ill feeling between two nations and the amount of good by a good feeling they would drink the toast with great pleasure. England's greatest trade was with the United States, and America's largest trade was with England. At all times, and still more in these bad times, their sons were going over to America to become citizens of the United States. In giving them the health of the President of the United States he thought they were very much indebted to him and to the late President for sending such admirable ambassadors to England. [Cheers.] If one thing more than another would enhance good feeling between the two countries it was the able and sympathetic conduct of the ambassadors who had been with them for the last few years. [Cheers.] He felt sure he was expressing the feeling, not only of the people in the old town of Boston, but the people of England generally, when he said he hoped these relations might not only remain as cordial as they were, but that they might be still further increased. [Cheers.]

The Hon. T. F. Bayard, who was received with loud and prolonged cheers, said:

Mr. Mayor, Ladies, and Gentlemen: I thank you most feelingly for the kind manner in which you have drunk this toast. I thank you because it is the toast of the Chief Magistrate of the country I represent, and because the man who fills the office is my personal friend as well as my official chief. [Cheers.] No one could have offered this toast more acceptably than Mr. Garfit, who has proved by the late election to be a representative man. [Cheers.] I am sure he spoke with all sincerity for himself, and I am sure he spoke with all authority from you—[cheers]—and he meant what he said and said what he meant. [Cheers.] Therefore I feel very grateful for the toast proposed of the chief ruler of the country which it is my honor to represent. The office of President of the United States is one not only of great dignity, but it is one of great responsibility, and care, and anxiety. He is called to that place by the voice of his country—not unanimously, for that would be impossible. He is called there by a majority of the voices of his countrymen, and against a powerful minority. Therefore it is there is no bed of roses for the man who occupies the position of President of the

United States. He stands in the midst of a strong, self-confident, and, oftentimes, violent people—men who seek to have their own way, and men who seek to have that way frequently obstructed, and I tell you plainly that it takes a real man to govern the people of the United States. [Cheers.] Fortunately in this case there is a real man to govern the people of the United States. This man who is there maybe may disappoint and obstruct a great many, and I hope he will continue to do so, but on the other hand there is not a man, woman, or child in the United States that does not in his or her heart respect the man who is their chief ruler. [Cheers.] His life is an open one. It is simple, straightforward, easy to be understood. It is surrounded by none of the forms that prevent inspection. It can be understood as clearly as the life of any private citizen, and even more so because attention is directed to it.

We are told something of the fierce light that beats upon a throne, and the fierce light that beats upon a throne beats upon a presidency, and every act, public and private, is open to inspection and it receives it. It is something, and it is a great deal to be said of our race—I say our race [cheers]—that the people having been left free to choose their own ruler, should choose the man they have chosen, for however mistaken they may have been in the eyes of some of their neighbors they have chosen a man against whose private character there is not the slightest stain to be seen. [Cheers.] Therefore to-day, in what we call in our simple fashion the White House—it is a good color—it is white and it is pure—there is a manhood that has never shrunk, there is an honesty that never has been questioned, and there is an ability that commands respect everywhere. But in addition to that there is the charm of as sweet a womanhood as ever dwelt in a man's heart. [Cheers.] Little children cluster round his knees, and a pure mother watches over them and rears them, and to-day American people have great cause for profound satisfaction that the home of their chief ruler is the home of an honest manhood, of a pure womanhood, of an innocent childhood. [Cheers.]

All the virtues that you in this dear old town of Boston cultivate in your homes—religion that brings you to your knees, the morality that checks any evil disposition, the integrity of friendship, the charms of social life—these things that you care most for here, believe me, are clearly mirrored in the life of the Chief Magistrate of the United States. [Cheer.] These are not mere words. I am not only the representative selected by him for my country, but I have his personal friendship. For four years of my life I was a member of his Cabinet. For four years of my life I had charge of the foreign relations of my country, and during that time it was constantly my duty to see Mr. Cleveland in the morning, at noon, in the evening, at dead of night, at midnight. I saw him under all circumstances. I saw him in his household and I saw him out of it. I saw him in times of trial and in times of pleasure, and he always was the same man—true and steady and manly and just. [Cheers.] It is with great satisfaction that I hear of his health proposed, and I heartily thank you for proposing it. I thank you, sir (Mr. Garfit), as the fittest man to propose it as the representative of your people, and I thank you, ladies and gentlemen, for the manner in which you have received it. [Cheers.]

The town clerk then read the following address, beautifully illuminated, from the corporation:

To His Excellency the Honorable T. F. Bayard, Ambassador from the United States of America:

We, the mayor, aldermen, and burgesses of the borough of Boston, are assured that we never more fully represented the wishes of all the inhabitants of our town than in offering you their most sincere welcome on your visit to Boston.

We know that you are the honored and distinguished representative of a great nation, allied to us in bonds of kinship, with a language, a literature, and a great glorious past in common; but we Bostonians claim to have a special reason for welcoming an American to our town. From this place proceeded many of the leaders of the New England settlement and the founders of a community which has given its name to the great city of Boston in the United States. Time has worked many changes in our borough, but the parish church, where our common ancestors worshiped together, still remains in all its ancient grandeur, and we acknowledge with satisfaction that we are indebted to the liberality of our cousins in America for the restoration of the Cotton Chapel part of its fabric.

We hope that you may long remain in this country, to draw, if possible, still closer the ties of friendship between the two nations, and that America and Great Britain may always, as close allies, join in spreading over the world the language and free institutions of their common race.

The mayor, on behalf of the citizens of old Boston, handed the address to Mr. Bayard, and expressed a hope that when he saw it in his home it would remind him of this day. [Cheers.]

Dr. Pilcher, J. P., proposed the "Health of his excellency, the American ambassador," and said it was fit that Mr. Bayard should have come to the place which was the scene of the forefathers of the best of his people. It was fit that he should have learned whether some of them were more or less degenerate examples of that great and proud people. His excellency had suggested that that notable community thought very highly of themselves, and it occurred to him when he said that it

might very fairly be considered to be a lineal transmission, for they felt very proud of being an ancient people. He need not say that when London was probably a village Boston returned the largest imports of this great State. Boston was one of the largest emporiums of trade. Wool, the staple trade of the Netherlands, passed through here in antique ships, and the traditions of these memories were still cherished; and if they had that day exhibited a little of that excessive pride he hoped they might be pardoned in the recollection that they honored the pride of their cousins across the water.

They rejoiced in their freedom from the trammels of ancient methods; they rejoiced in their constant growth, but nevertheless felt that they were capable of teaching these people a thing or two yet. [Laughter and cheers.] They had learned vastly from the Americans, and hoped to learn much more, but they still felt that there was a little left to be learned from them by the younger community. They were there to-day to pay homage to a man who was strong in his defense of his own people, but who could still appreciate with delicacy and express with sympathy the needs of both peoples, which were not the least of the arts and powers of diplomacy. The making of communities depended largely upon the character of the ambassador, and in the present case, added to the charm with which he could maintain his own representative character, they had the invaluable recognition of our most earnest desire to learn more of his own people and his country, and he was satisfied the more he knew of us and the more he knew of his own people, the apparent differences would melt into an indissoluble bond of eternal friendship. [Cheers.]

The Hon. T. F. Bayard, who was again cordially received, said:

Mr. MAYOR, LADIES, AND GENTLEMEN: There is an old English proverb warning you not to ride a free horse to death, and I fear that by my repetition of speeches I am trespassing on your good nature and your patience too much. ["No!" "No!"] But if I do so I beg you in justice to remember that it is your own fault. [Laughter.] Your kindness has been so great, your courtesy and hospitality have been so gracious, that it would be impossible that I should find words to express my gratification and my pleasure. This gracious address, and its beautiful illumination, I shall value; and as you said, Mr. Mayor, I might take it home—that is just the place for it, to go among those who care for me—to my family and to my children, and I can assure you that, though as years pass on, these charming colors may fade, though they may grow more pale and less distinct, yet the occasion that brought them forth and the words that they convey will not fade or grow less distinct, either in my memory or those who come after me. [Cheers.]

Perhaps I might say, if I am not guilty of repetition in saying it, that when our friend, Mr. White, came to me in London, or applied to me in London, and asked me to come to the exercises of this ancient school one of my strongest impulses was that it was the ancient home of my own people—[cheers]—it was the ancient home of the American Bostonians, and while I was not born in Boston, and did not myself live there, yet there was a family of little children, who are my grandchildren, living in Boston, and I thought for their father and mother's sake, and their own sake, how pleased they would be to know that I had paid respect, and shown sympathy for the people, and for the affairs, and for the interest of the old English Boston from which their name had come. [Cheers.] You see that blood is thicker than water, and you see how easily and how naturally the affectionate forces impress themselves upon a man's action.

It is a very common thing to believe that life is controlled chiefly by its passions. I do not think so. I believe that if history shall ever be fairly read, and if anyone will consider their own lives, they will find that the affections are far stronger than the passions, and that those quiet forces, which in the end make for the happiness of a country, are those gathered in domestic life and found in the interchange of friendly feeling. [Cheers.] As to the diplomacy, as it is called, between nations, I confess to you I do not believe much in it. [Laughter.] That is to say, I believe that the best diplomacy consists in perfect frankness [cheers], that the best diplomacy consists in removing and preventing misunderstanding. [Cheers.] The people simply shall have the case, such as it is, laid honestly before them, and their better instincts must be appealed to for the purpose of settling it whatever it is. [Cheers.] By these rules, I frankly say to you, I can not imagine how there should be between two countries that speak the English tongue, controlled by the morals of England as well as the United States, and having the same object and fair play and good feeling constantly in view, anything but the best of feeling. [Cheers.] That is all there is of it, and so far as in me lies I shall endeavor always to present a case that England can accept with honor, and can accept with safety for the welfare of this country as well as my own. [Cheers.]

This is not the time, nor is there any need for me to render thanks for your great kindness, to say how much I have enjoyed your hospitality, how glad I was to see this old school, how glad I am to hear it is prosperous and strong, and that you are sending forth into the community young men who

are to serve the country when we are all gone. The country is strengthened by just such forces as are represented in the grammar school at Boston. [Cheers.] If my coming here to-day shall give any aid or encouragement, however slight, to the cause for which that school was established, if it shall have given pleasure to the inhabitants of this town, if it shall have brought a better feeling between the inhabitants of old Boston and of young Boston, then my visit will have been thoroughly successful. [Cheers.] Will you allow me, in taking my seat and thanking you all for your kindness and gracious reception, to offer a health to the worthy representative of your city, and to ask you to join in drinking good health to the mayor and mayoress. [Cheers.]

The mayor briefly replied, and on behalf of the town thanked Mr. Bayard for his visit.

Alderman Bedford proposed the toast of the "Ladies." He said he was extremely gratified at the presence of their illustrious guest. Some years ago he had the honor to be the mayor of Boston, and his pleasantest recollections of the office were the friendships he formed with the people of new Boston. [Cheers.] Never a summer passed but he had some of the inhabitants of new Boston at his house. Only last Sunday he had a gentleman, with his son and daughter, from America, to see him. [Cheers.] No one could admire the old and the new countries more than he did, but he hoped he should lose his admiration of both before he lost his admiration of the ladies. [Cheers.]

Mr. B. B. Dyer replied to the toast.

His excellency left Boston at a quarter past 8 o'clock in the evening. His visit was the occasion of great rejoicing. The bells of the parish church were rung and flags were floated from public buildings and private establishments in honor of the occasion.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 153.

WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY.

REPORT OF THE OPERATIONS OF THE WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY FOR THE YEAR ENDING DECEMBER 31, 1895.

JANUARY 20, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

THE WASHINGTON AND GREAT FALLS
ELECTRIC RAILWAY COMPANY,
Washington, D. C., January 15, 1896.

SIR: I have the honor to submit the following report of the operations of the Washington and Great Falls Electric Railway Company for the year ending December 31, 1895:

The receipts for the year were $77,090.83, as follows:

Bonds	$75,600.00
Passengers	1,237.93
Tickets	250.50
Sale of lumber	2.40

The expenditures amounted to $76,770.48, divided as follows:

Construction and right of way	$69,483.29
Engineering	3,218.60
Equipment	1,950.00
Sundry expenses	579.51
Operating	1,277.54
Redemption tickets	261.44
Balance on hand December 31, 1895	320.35

The liabilities of the company are as follows:

First-mortgage bonds	$204,800.00
Capital stock	86,800.00
Accounts payable	5,528.05

The number of passengers carried from August 23 to December 31, 1895, was 27,045.

The names of shareholders and number of shares held by each on December 31, 1895, is hereto appended.

Respectfully submitted.

JACOB P. CLARK, *President.*

Attest:

LEE HUTCHINS, *Secretary.*

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Shareholders December 31, 1895.

Names.	Shares.	Names.	Shares.
Smith Pettit	12	J. F. Morrison	2
James Robbins	12	Frank B. Clark	49
John G. Slater	10	Thos. F. Brentley	1
T. W. Tyrer	2	James M. Hoge	5
A. J. Tyrer	10	G. H. LaFetra	7
W. C. Codd	2	Lee Hutchins	150
C. A. Maxwell	1	Hiram A. McKinney	3
J. H. Rothert	10	Edw. Baltzley	50
Stilson Hutchins	115	Julia J. Codd	140
S. T. G. Morsell	1	Alice M. Chase	40
J. P. Clark	198	E. B. Cottrell	25
R. B. Goodfellow	2		
F. H. Stier	1	Total	868
J. V. N. Huyck	20		

DISTRICT OF COLUMBIA, *County of Washington, ss:*

Personally appeared before me, the undersigned, a notary public in and for the District aforesaid, Jacob P. Clark, president, and Lee Hutchins, secretary, of the Washington and Great Falls Electric Railway Company, who, being duly sworn according to law, deposed and say that the aforegoing report is a true statement of the operations and condition of the Washington and Great Falls Electric Railway Company for the year ending December 31, 1895.

Sworn to and subscribed before me this 17th day of January, 1896.

[SEAL.] ROBT. V. HUGHES, *Notary Public.*

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 154.

CLERICAL ASSISTANCE FOR UNITED STATES TREASURER'S OFFICE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

INCLOSING

A copy of a communication from the Treasurer of the United States, recommending additional clerical assistance for his office.

JANUARY 20, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 17, 1896.*

SIR: I have the honor to invite the attention of Congress to the inclosed copy of a communication from the Treasurer of the United States, of the 11th instant, and to recommend that the twenty additional clerks, at $900 each, estimated for his office on page 26 of the annual Book of Estimates for 1897 be provided for in the urgent deficiency bill, now pending, for the remainder of the current fiscal year.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
OFFICE OF THE TREASURER,
Washington, D. C., January 11, 1896.

SIR: I have the honor to recommend that the increase of twenty clerks, at a compensation of $900 each per annum, submitted in my estimate of appropriations for the fiscal year ending June 30, 1897, be made available at once. This is made necessary in view of the fact that the force of the redemption division of this office is utterly insufficient to properly assort and count the large volume of all kinds of currency received daily for redemption.

The amount of unredeemed currency on hand at this date is about $6,000,000, and the amount is increasing daily. The delay in making returns is not only a source of annoyance and loss to the remitters, by their being deprived of the use of their currency, but reflects unjustly

upon the best efforts of this Bureau in its transaction of the public business, as it entails a contraction of the circulation to the amount above indicated.

In this connection I have to state that thirty-two clerks and messengers engaged in the redemption of mutilated currency were withdrawn from such duty by the abolishment of the roll employed under the act of July 14, 1890. The prompt redemption of mutilated currency in accordance with the law and the Treasury regulations render it absolutely necessary that the services of the twenty clerks mentioned be secured immediately.

Respectfully, yours,

D. N. MORGAN,
Treasurer United States.

Hon. J. G. CARLISLE,
Secretary of the Treasury.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 155.

ADDITIONAL CLERICAL FORCE IN OFFICE OF ASSISTANT TREASURER AT NEW YORK.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the assistant treasurer at New York, setting forth the need of increased clerical force in his office.

JANUARY 20, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 17, 1896.*

SIR: I have the honor to transmit herewith copy of a communication from the assistant treasurer at New York, of the 9th instant, in regard to the necessity for increased clerical force in his office for the remainder of this fiscal year, and for the ensuing year, such additional force being rendered necessary by additional and unexpected increase in the work of redemption of notes and handling of coin.

I have, therefore, the honor to recommend that the following additional force be provided for in the urgent deficiency bill now pending for the remainder of the current fiscal year, and that also the same force be provided for in the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1897, viz:

One stenographer, at $1,200 per annum.
One money counter, at $900 per annum.
One money counter, at $800 per annum.

Respectfully yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF ASSISTANT TREASURER UNITED STATES,
New York, N. Y., January 9, 1896.

SIR: In my letter to the Department submitting the estimates of appropriations required for the coming fiscal year I embodied a request for two additional money counters. I regret to see that the recommendation has not been included in the estimates, for the reason that the anticipated increase in the volume of money returned to this office is now being realized. The ordinary return of such money at this season of the year is very large, and the increase in the amount issued during the past

six months, together with its comparative lack of employment at this period of the year, clearly shows that the amount returned will be considerably larger than usual.

In addition to this, the office will be compelled to handle the largest part by far of the $100,000,000 to be deposited on account of the coming bond issue.

I am therefore compelled to ask for the reconsideration of my recommendation and to request further that at least two additional money counters, at a salary of $900 and $800 per annum, respectively, be provided for in the deficiency appropriations.

In addition to this, I urgently request authority to employ another stenographer at an annual salary of $1,200, also to be immediately available. The work of the office is such that it is impossible for one stenographer to handle all of it; and help has been given from time to time by detailing another clerk, familiar with the work, but whose services are necessary elsewhere, thus seriously interfering with the work of a very busy division.

As has been repeatedly stated to the Department, the hours of service here are longer than those in the Department at Washington under ordinary conditions; but during this extraordinary period it has been necessary to lengthen the hours of a large portion of the officers until 5, 5.30, and even 6 p. m., in order to complete the day's work; and without additional help these hours must be further lengthened, which, besides the manifest unfairness, is not conducive to the best results if long continued, but it must be done unless relief is afforded.

Very respectfully,

C. N. JORDAN,
Assistant Treasurer United States.

The SECRETARY OF THE TREASURY,
Washington, D. C.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 156.

MARIA J. FOWLER, EXECUTRIX, AND OTHERS.

Letter from the Assistant Clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the cases of Maria J. Fowler, executrix, Turner Patterson, James W. Myers, and William P. Hackney, against The United States.

JANUARY 20, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 17, 1896.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings filed by the court in each of the annexed causes, which cases were referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 8658. Maria J. Fowler, executrix of Edward Fowler, deceased, *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Edward Fowler, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed March 12, 1894.

[Court of Claims. Congressional case No. 8658. Maria J. Fowler, executrix of Edward Fowler, deceased, *v.* The United States.

STATEMENT OF CASE.

The claim in the above entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States, for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 2d day of March, 1892.

On a preliminary inquiry the court, on the 12th day of March, 1894, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of January, 1896.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Charles W. Russell, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in her petition makes the following allegations:

That she is a citizen of the United States, residing in Catoosa County, State of Georgia, where decedent resided during the late war of the rebellion; that at different

times during said period the United States forces, by proper authority, took from said decedent quartermaster stores and commissary supplies of the value of $3,004.22 and appropriated the same to the use of the United States Army, as follows:

2,224 bushels corn	$2,224.00
220 bushels oats	142.00
120 bushels sweet potatoes	120.00
3,000 bundles fodder	45.00
60 hogs, 4,800 pounds	240.00
28 sheep	42.00
3,000 fence rails	60.00
6 beef cattle, 2,100 pounds	131.22
Total	3,004.22

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the place of claimant's decedent in Catoosa County, State of Georgia, during the war of the rebellion, by the military forces of the United States for the use of the army, stores and supplies of these above described, which at the time and place of taking were reasonably worth the sum of one thousand six hundred and forty-five dollars ($1,645).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed January 13, 1896.
A true copy.
Test this 16th day of January, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional, No. 7464. Turner Patterson *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that said Turner Patterson, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed February 8, 1892.

[Court of Claims. Congressional case No. 7464. James S. Hamilton, administrator of Turner Patterson, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 6th day of March, 1890.

On a preliminary inquiry the court, on the 8th day of February, 1892, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of January, 1896. Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in Jackson, Hinds County, State of Mississippi, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from said decedent quartermaster stores of the value of $350 and appropriated the same to the use of the United States Army, as follows:

1 mule	$150.00
1 horse	200.00
Total	350.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

At the time and place alleged in the petition there were taken from Turner Patterson, since deceased, by and for the use of the United States Army, property described in the petition then reasonably worth the sum of two hundred and thirty dollars ($230), which does not appear to have been paid for.

BY THE COURT.

Filed January 13, 1896.
A true copy.
Test this 16th day of January, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional, No. 8813. James W. Myers *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that James W. Myers, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed June 12, 1893.

[Court of Claims. Congressional case No. 8813. James W. Myers *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 23d day of March, 1892.

On a preliminary inquiry the court, on the 12th day of June, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of January, 1896.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in Jefferson County, State of West Virginia, where he resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from him quartermaster stores and commissary supplies of the value of $1,665 and appropriated the same to the use of the United States Army, as follows:

1,000 bushels corn	$1,000.00
20 tons hay	400.00
50 bushels wheat	75.00
26 sheep	130.00
10 days' use of team	60.00
Total	1,665.00

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

At the time and place alleged in the petition there were taken from the claimant, James W. Myers, by and for the use of the United States Army, stores and supplies as set forth in the petition, then reasonably worth the sum of ten hundred and twenty-eight dollars ($1,028), which does not appear to have been paid for.

BY THE COURT.

Filed January 13, 1896.
A true copy.
Test this 16th day of January, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional No. 8928. William P. Hackney *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that William P. Hackney, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed June 22, 1893.

[Court of Claims. Congressional case No. 8928. Sarah E. Nicholas, administratrix of William P. Hackney, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppresion of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 9th day of April, 1892.

On a preliminary inquiry the court, on the 22d day of June, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 7th day of January, 1896.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Charles W. Russell, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in her petition makes the following allegations:

That she is a citizen of the United States, residing in Whitfield County, State of Georgia, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from said decedent quartermaster stores and commissary supplies of the value of $2,243 and appropriated the same to the use of the United States Army, as follows:

1 frame house, 25 by 22	$500.00
400 bushels of corn	800.00
350 bushels sweet potatoes	700.00
750 pounds pork	150.00
33 gallons sirup	66.00
200 pounds flour	15.00
600 bundles fodder	12.00
Total	2,243.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the place of claimant's decedent, in Whitfield County, State of Georgia, in the fall of 1864, by the military forces of the United States, for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of ($588) five hundred and eighty-eight dollars.

It does not appear that any payment has been made for any part thereof.

The court makes no allowance for the first and fifth items, the claimant's title to the former not being satisfactorily proven and the latter being due to depredation of soldiers.

BY THE COURT.

Filed January 13, 1896.
A true copy.
Test this 16th day of January, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 157.

JUDGMENTS AGAINST THE UNITED STATES.

LETTER

FROM

THE ATTORNEY-GENERAL,

TRANSMITTING

A list of judgments rendered against the Government by the circuit and district courts of the United States in which the records have been received since February 27, 1895.

JANUARY 20, 1896.—Referred to the Committee on Appropriations, and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 16, 1896.

SIR: I have the honor to transmit herewith a list of judgments rendered against the Government by the circuit and district courts of the United States, in which the records have been received at this Department since the 27th of February, 1895, the date of my last report. These judgments are certified to you in compliance with the provisions of section 11 of the act of March 3, 1887 (24 Stat. L., p. 505), entitled "An act to provide for the bringing of suits against the Government of the United States."

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Judgments rendered against the United States.

Name.	Judgments.	Costs.	Date of judgments.	Exhibits.
Charles L. Fitch	$217.30		Nov. 18, 1895	1
A. K. Fletcher	1,173 53		Mar. 8, 1893	2
William B. Tinsley	1,046.15		Apr. 17, 1894	3
Mervin B. Converse	1,785.05	$9.80	Dec. 19, 1894	4
William W. Doherty	934.69	32.65	Dec. 29, 1894	5
William M. Campbell	4,612.82	117.25	Oct. 31, 1895	6
William Morgan	987.70	13.45	Dec. 22, 1893	7
Charles P. Hitch	410.46		Apr. 8, 1895	8
William P. Marlatt	377.66		Feb. 28, 1895	9
C. L. F. Madsen	70.11		do	10
James O. George	134.40		do	11
John A. Perkins	368.33		do	12
Edgar C. Loehr	41.00		Mar. 5, 1895	13
William W. Hall	531.83		Feb. 28, 1895	14
Julia F. Crane, administratrix	202.56		do	15
Eugene G. Hay	4,177.24	9.75	Jan. 4, 1895	16
M. F. Pleasants	90.00	20.25	Feb. 21, 1895	17
Walter P. Corbett	1,260.58		Apr. 18, 1895	18
Benj. W. Walker, use of T. W. Curry	3,298.89	39.25	Jan. 26, 1895	19
Richard Jones	68.95	10.40	June 27, 1895	20
Henry T. Meloney	514.95	4.45	Oct. 14, 1895	21
Lewis E. Parsons	304.80		Oct. 8, 1895	22
Total	22,609.00	257.25		

EXHIBIT No. 1.

[Charles L. Fitch *v.* United States, No. 905.]

In this cause the petitioner having, on the 9th day of April, A. D. 1891, recovered a judgment of this court against the said defendant for the sum of $247.30, and the said defendant having appealed therefrom to the United States circuit court of appeals for the sixth circuit, and the mandate * * * having been now filed in this cause, directing the modification and affirmance of the said judgment; therefore, in conformity to the mandate and opinion aforesaid, it is considered that the said petitioner do recover against said defendant, the United States of America, the sum of $217.30.

———.

Western district of Michigan.
November 18, 1895.

EXHIBIT No. 2.

[A. K. Fletcher *v.* United States, No. 944.]

The court having considered the report of Special Commissioner Points * * * doth order that A. K. Fletcher, United States clerk, is entitled to and do recover from the United States the sum of $1,173.53, with interest from this date at the rate of 4 per cent per annum, and his costs.

———.

Western district of Virginia.
March 8, 1893.

NOTE.—This case was taken on appeal by the Government to the circuit court of appeals, and the judgment therein was affirmed on February 7, 1894.

EXHIBIT No. 3.

[William B. Tinsley *v.* United States, No. 945.]

Whereupon it is considered by the court that the petitioner recover of the United States the sum of $1,046.15, found to be due, but disallowed and unjustly detained from said petitioner, with interest thereon to be computed at the rate of 4 per cent per annum from the date of this judgment * * * and his costs.

JOHN PAUL, *Judge.*

Western district of Virginia.
April 17, 1894.

NOTE.—The above-entitled action was taken on appeal by the Government to the circuit court of appeals, and the judgment therein was affirmed May 28, 1895.

EXHIBIT No. 4.

[Mervin B. Converse *v.* United States, No 953.]

It is therefore ordered and adjudged by the court that said judgment rendered December 10, 1892, in favor of Mervin B. Converse, the petitioner in this cause, for the sum of $2,065.45 damages and $9.80 costs be reduced to the sum of $1,785.05 damages and $9.80 costs.

———— ————.

Southern district of Illinois.
December 19, 1894.

NOTE.—The above judgment was entered in conformance to the mandate of the circuit court of appeals, to which court the case was taken on appeal by the Government, and is a reduction of the former judgment in the sum of $281.40.

EXHIBIT No. 5.

[William W. Doherty *v.* United States, Nos. 979 and 1004.]

In No. 379 the plaintiff is to have judgment for $697.44; and in No. 476 he is to have judgment for $405.25; in each case with costs taxed under the statute.

———— ————.

District of Massachusetts.
Costs, $32.65.
December 29, 1894.

NOTE.—On June 3, 1895, the plaintiff in the above-entitled cases remitted the sum of $168, the same being the aggregate amount of certain items objected to by the Government, thus leaving the total judgment to stand for $934.69.

EXHIBIT No. 6.

[William M. Campbell *v.* United States, No. 989.]

Pursuant to the foregoing order it is hereby considered, ordered, and adjudged that the above-named plaintiff * * * do have and recover of and from the above-named defendant, the United States of America, the aforesaid sum of $4,612.82, and the * * * stipulated costs and disbursements. * * *

———— ————.

District of Minnesota.
Costs, $117.25.
October 31, 1895.

NOTE.—The foregoing judgment was entered upon the mandate of the circuit court of appeals, to which court the case was taken by the claimant therein.

EXHIBIT No. 7.

[William Morgan *v.* United States, No. 999.]

It is therefore considered by the court that the plaintiff, William Morgan, have and recover of the defendant, the United States, as well the said sum of $987.70, the damages aforesaid by the court assessed, as also the costs in this behalf expended.

———— ————.

Eastern district of Missouri.
Costs, $13.45.
December 22, 1893.

NOTE.—The above suit was taken on appeal by the Government to the circuit court of appeals, and the judgment therein was affirmed February 20, 1895.

EXHIBIT NO. 8.

[Charles P. Hitch *v.* United States, No. 1017.]

The judgment of the court, therefore, is that the plaintiff recover the sum of $456.06 and his cost of suit.

——— ———.

Southern district of Illinois.
April 8, 1895.

NOTE.—From the above judgment plaintiff entered a remittitur for the sum of $45.60, leaving the judgment to stand for the sum of $410.46.

EXHIBIT NO. 9.

[William P. Marlatt *v.* United States, No. 1020.]

Upon the above findings of facts and conclusions of law herein, it is ordered and adjudged that the petitioner, William P. Marlatt, do recover of the defendant, the United States of America, the sum of $377.66 and the costs of this suit, taxed at $——.

——— ———.

District of Indiana.
February 28, 1894 (1895).

EXHIBIT NO. 10.

[Christian L. F. Madsen *v.* United States, No. 1029.]

Upon the above findings of fact and conclusions of law herein, it is ordered and adjudged that the petitioner, Christian L. F. Madsen, do recover of the defendant, the United States of America, the sum of $70.11, and the costs of this suit, taxed at $——.

——— ———.

District of Indiana.
February 28, 1895.

EXHIBIT NO. 11.

[James O. George *v.* United States, No. 1030.]

Upon the above findings of fact and conclusions of law herein, it is ordered and adjudged that the petitioner, James O. George, do recover of the defendant, the United States of America, the sum of $134.40, and the costs of this suit, taxed at $2.

——— ———

District of Indiana.
February 28, 1895.

EXHIBIT NO. 12.

[John A. Perkins *v.* United States, No. 1031.]

Upon the above findings of fact and conclusions of law herein, it is ordered and adjudged that the petitioner, John A. Perkins, do recover of the defendant, the United States of America, the sum of $368.33 and the cost of this suit, taxed at $——.

——— ———.

District of Indiana.
February 28, 1895.

EXHIBIT NO. 13.

[Edgar C. Loehr *v.* United States, No. 1078.]

It is ordered and adjudged that the petitioner, Edgar C. Loehr, do recover of the defendant the sum of $41 and the costs of this suit, taxed at $——.

——— ———.

District of Indiana.
March 5, 1895.

EXHIBIT No. 14.

[William W. Hall *v.* United States, No. 1079.]

Upon the above findings of fact and conclusions of law herein, it is ordered and adjudged that the petitioner, William W. Hall, do recover of the defendant, The United States of America, the sum of $531.83 and the costs of this suit, taxed at $——.

——— ———.

District of Indiana.
February 28, 1895.

EXHIBIT No. 15.

[Julia F. Crane, administratrix of Henry Crane, *v.* United States, No. 1103.]

Upon the above findings of fact and conclusions of law herein, it is ordered and adjudged that the petitioner, Julia F. Crane, administratrix, etc., do recover of the defendant, The United States of America, the sum of $202.56 and the costs of this suit, taxed at $——.

——— ———.

District of Indiana.
February 28, 1895.

EXHIBIT No. 16.

[Eugene G. Hay *v.* United States, No. 1112.]

Now, therefore, it is hereby considered, ordered, and adjudged that Eugene G. Hay do have and recover of and from the United States of America the aforesaid sum of $4,177.24, so found to be due by the court, together with his costs herein to be taxed.

——— ———.

District of Minnesota.
Costs, $9.75.
January 4, 1895.

EXHIBIT No. 17.

[M. F. Pleasants *v.* United States, No. 1119.]

The court having heard the evidence and arguments of counsel, and upon consideration of all the questions raised by the pleadings, finds for the petitioner the sum of $90; therefore it is considered by the court that the petitioner recover against the defendant his damages assessed as aforesaid, with interest thereon * * * and his costs by him about his action in this behalf expended.

——— ———

Eastern district of Virginia.
Costs, $20.25.
February 21, 1895.

EXHIBIT No. 18.

[Walter P. Corbett *v.* United States, No. 1120.]

Whereupon it is considered, ordered, and adjudged by the court that the said petitioner, Walter P. Corbett, do have and recover of and against the United States of America the sum of $1,260.58, with costs of suit accrued since April 17, when the Government put in issue the right of the petitioner to recover.

EMORY SPEER, *Judge.*

Southern district of Georgia.
April 18, 1895.

EXHIBIT No. 19.

[Benjamin W. Walker, for use of Turner W. Curry, No. 1146.]

The court, on due consideration of the premises, finds for the petitioner and doth order, adjudge, and decree that the said Benjamin W. Walker, for the use of the said Turner W. Curry, as aforesaid, do have and recover of and from the United States of America the sum of $3,504.51 as the allowance to said deputy as aforesaid, the same being the three-fourths of said deputy's earnings, and not exceeding the maximum compensation and allowance for services rendered by said deputy under the terms of his service, belonging to and lawfully to be retained by him. * * *

ALECK BOARMAN, *Judge.*

Middle district of Alabama.
Costs, $39.25.
January 26, 1895.

NOTE.—From the above judgment, claimant remitted the sum of $205.62, leaving the judgment to stand for $3,298.89.

EXHIBIT No. 20.

[Richard Jones *v.* United States, No. 1148.]

The court finds from facts and the law that the plaintiff is entitled to recover from the defendant the sum of $68.95. It is therefore considered, ordered, and adjudged by the court that Richard Jones do have and recover from the United States the sum of $68.95, together with the costs of this proceeding.

——— ———.

Southern district of Alabama.
Costs, $10.40.
June 27, 1895.

EXHIBIT No. 21.

[Henry T. Meloney *v.* United States, No. 1163.]

Therefore it is considered by the court that the said demurrer be overruled and that the plaintiff recover against the defendant the sum of $514.95, with interest thereon at the rate of 4 per cent per annum from the 14th day of October, 1895, till the time when an appropriation is made for the payment of the same, and costs.

RO. W. HUGHES, *Judge.*

Eastern district of Virginia.
Costs, $4.45.
October 14, 1895.

EXHIBIT No. 22.

[Lewis E. Parsons *v.* United States, No. 1174.]

It is therefore considered by the court that the plaintiff have and recover of the United States of America the said sum of $304.80, together with the costs in this behalf expended.

JOHN BRUCE, *Judge.*

Northern district of Alabama.
October 8, 1895.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 158.

REPAIRS TO AQUEDUCT BRIDGE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of War, submitting estimate of appropriation for repairs to Aqueduct Bridge, District of Columbia.

JANUARY 21, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 20, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War, of this date, submitting an estimate of appropriation ($65,000) for repairs to Aqueduct Bridge, District of Columbia, the same to be made available until expended.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington City, January 20, 1896.

SIR: I have the honor to forward herewith, for transmission to Congress, an estimate ($65,000) of appropriation for "Repairs to Aqueduct Bridge, District of Columbia," with the request that the money may be made available until expended and not limited to a fiscal year, as much embarrassment occurred from this cause in the expenditure of the last appropriation for this object.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SECRETARY OF THE TREASURY.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., December 7, 1895.

SIR: In my last annual report, that of September 28, 1895 (page 485), in mentioning the work of repair of the Aqueduct Bridge across the Potomac River at Washington, D. C., I used the following language:

> It is expected that the repairs will be completed, as far as can be done under the present contract, soon after the close of the fiscal year. * * *
> An estimate of cost for completely repairing this pier [Pier No. 4] will be made and Congress asked to appropriate the necessary money.

I have now the honor to submit the accompanying copy of report on the subject, dated November 30, 1895, by Maj. Charles E. L. B. Davis, Corps of Engineers, in which he presents a statement of the condition of the pier, and the work required for its reconstruction. The estimated cost of the work proposed is $65,000.

I fully concur in the views of Major Davis, and recommend that the inclosed estimate and a copy of his report be sent to the Secretary of the Treasury, with request that they be transmitted to the Speaker of the House of Representatives for the information of the Committee on Appropriations, with request that the amount of the estimate be provided for carrying this important work to completion.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

REPAIRS OF PIER 4, AQUEDUCT BRIDGE, ACROSS POTOMAC RIVER AT GEORGETOWN, D. C.

UNITED STATES ENGINEER OFFICE,
Washington, D. C., November 30, 1895.

GENERAL: I have the honor to submit the following report upon the estimate of cost of the necessary repairs to Pier No. 4 of the Aqueduct Bridge across the Potomac River at Georgetown, D. C.:

The act of August 7, 1894, making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1895, made an appropriation of $51,070 for repairs to the piers of the Aqueduct Bridge, this amount being the estimate submitted in a report from this office dated July 17, 1893. The examination of the piers was made by a diver, and it was decided to repair the eroded portions of all, except Pier No. 4, by means of concrete in bags put in place by a diver.

In the case of Pier No. 4, it was decided that a cofferdam would be necessary, as the diver's examination showed a cavity on the upstream side of the pier estimated at over 156 cubic yards, while a crack entirely through the pier extending from the top of the coping down to low tide showed plainly that the upstream end of the pier was being undermined and was settling. After the cofferdam had been pumped out and the masonry below the water line was exposed, a most unexpected and surprising condition of affairs was revealed. It was found that the timber cross-braces of the old original cofferdam built in 1839, 16 inches square and 21 in number, had been left in the pier and the masonry built around them. It was also found that the old masonry

had not been started from solid rock, as shown on the original plans, but upon riprap stone apparently thrown in to level off, without removing the dĕbris upon the rock, which is fissured and seamed and has many projecting nodules.

Layers of mud and sand were found under the lowest of the old shores, while lying on the rock diagonally under the masonry of the pier an old tree was found which must have been there before the pier was built. For about 12 feet above this insecure foundation the masonry is of the poorest quality possible and hardly worthy of the name of masonry. The stones were apparently put in as they came from the quarry without the slightest reference to beds, being set on end, edge, and in every conceivable manner, while few, if any, traces of mortar or cementing material were found. The old tree spoken of was reported by the diver in his examination, and also the very rough quality of the masonry, and careful soundings with an iron pointed rod showed very irregular offsets, but it was thought the tree had been lodged since the erosion of the pier, and that heavy riprap stone deposited around the pier would account for the roughness found by the diver and the indications of the sounding rod, as it seemed incredible that the condition of affairs afterwards found could really exist. The Acting Secretary of War and the Chief of Engineers made an inspection of this pier on June 24, 1895, and may recall the condition of the masonry.

In view of the poor quality of the masonry at the bottom, it was decided that after the completion of the contract for repairing the cavity under the upstream end of the pier, it would be necessary to remove the defective masonry in the remainder of the pier and replace it by masonry of proper quality founded on the solid rock. The appropriation then available being insufficient for this extra work, it was decided to ask Congress for a further appropriation. As the cofferdam would be needed for this work, a modification of the contract was made by which the Government became the owner of the dam by purchase from the contractors, and this dam is now in place.

As all of the masonry of the pier above the water line is in fair condition, considerable study was given to the question whether it would not be possible to support this masonry and removing the defective portion replace it by new, but after discussion with practical masons and contractors, I was led to the conclusion that it would be cheaper and certainly much more satisfactory to entirely remove all the old masonry from the coping down to the bottom and rebuild from the bottom up, utilizing as much of the old material as possible for the backing, the facing to be of modern approved cut-stone masonry. This conclusion was reached after considering the difficulties attendant upon shoring up the large, heavy overhanging masonry, the restricted room in the dam for the masons to work in, the mechanical difficulties of getting the large stones horizontally into their proper positions after being lowered into the crib by the derrick, and finally the great danger to human life in case of any settling of the supports.

The following is the estimate of the cost of the work:

Estimate of the cost of the reconstruction of Pier No. 4 of the Aqueduct Bridge.

Pumping out cofferdam and blocking up under crib for support of iron spans.	$1,000
Repairs to cofferdam and false work, riprap, puddling, and maintenance of dam	2,500
Additional bracing (after masonry is removed), 30 M feet, B. M., at $50, in place	1,500

Boilers and pumps (duplicate plant)	$4,930
Pumping, 150 days, at $27	4,050
Removing coping, 21 cubic yards, at $10	210
Removing old masonry, 1,470 cubic yards, at $4	5,880
Excavation in cofferdam, 300 cubic yards, at $1	300
Cutting off projecting points of rock	300
Concrete, 210 cubic yards, at $10.50	2,205
Face ashlar masonry, 603 cubic yards, at $40	24,120
Rubble masonry backing, 523 cubic yards, at $11	5,753
Resetting coping, 21 cubic yards, at $10	210
Repairs to iron spans	200
Removal of false work and cofferdam	3,000
Contingencies, about 16 per cent	8,842
Total	65,000

While it has been the endeavor in this estimate to provide liberally for all possible contingencies, it is hoped some of the items may run under the estimate and the cost reduced, but as the work must be done, no risk or failure should be taken for want of funds, and it is therefore respectfully recommended that the total amount estimated may be appropriated, and also that the money be made available until expended and not be limited to a fiscal year, as much embarrassment occurred from this cause in the expenditure of the last appropriation.

Very respectfully, your obedient servant,

CHAS. E. L. B. DAVIS,
Major, Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

(Through Col. Peter C. Hains, Corps of Engineers, Division Engineer, Southeast Division.)

[First indorsement.]

UNITED STATES ENGINEER OFFICE,
Baltimore, Md., December 4, 1895.

Respectfully submitted to the Chief of Engineers, and recommended for approval.

PETER C. HAINS,
Colonel, Corps of Engineers,
Division Engineer, Southeast Division.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1897, by the Chief of Engineers.

Repairs to Aqueduct Bridge—

For reconstruction of Pier No. 4 of the Aqueduct Bridge across Potomac River at Georgetown, D. C., to be available until expended (act Aug. 7, 1894, vol. 28, p. 252, sec. 1) $65,000.00

NOTE.—The District of Columbia appropriation act of August 7, 1894, appropriated $51,070 for repairs to the piers of the Aqueduct Bridge. The necessary repairs have been made to all the piers except Pier No. 4. A close examination of this pier below the water line, after the masonry had been exposed, disclosed an entirely unexpected condition; a condition which renders its entire reconstruction necessary, and for this purpose this estimate is submitted. (*W. P. Craighill, Brig. Gen., Chief of Engineers.*)

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 159.

MINT BUILDING AT PHILADELPHIA, PA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

SUBMITTING

A reply to the resolution of the House asking for information as to the progress made in erecting a mint building at Philadelphia.

JANUARY 21, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 18, 1896.

SIR: In response to the resolution passed by the House of Representatives on the 9th instant, requesting the Secretary of the Treasury to inform the House "what progress has been made under the act approved March 3, 1891, in the erection of a building at Philadelphia, Pa., for the use and accommodation of the United States mint, and the reason for the delay in the prosecution and completion of said building," I have the honor to say, that on the 7th of October, 1892, a letter was addressed by the Acting Secretary of the Treasury to the Attorney-General, informing him that the Department had selected the block of property surrounded by Seventh, Sansom, Sixth, and Walnut streets, in the city of Philadelphia, as a site for the proposed new mint building authorized by acts of Congress approved March 3, 1891, and August 5, 1892, and requesting that the necessary instructions be given to the United States attorney for the institution of proceedings for the condemnation of the property, in order that the United States might acquire a title thereto.

As soon as the necessary investigations could be made as to the ownership of the several parcels of land embraced in the above-described boundaries, the proceedings were commenced, and resulted in the valuation of the entire block at $958,320, which very largely exceeded the amount of the appropriation made by Congress for the acquisition of the site, and, consequently, at the request of the Secretary of the Treasury, made April 13, 1893, the United States district attorney was instructed by the Attorney-General to discontinue the proceedings, which was done. The Department, however, continued its efforts to find a suitable site for the location of the building which could be pro-

cured within the appropriation made by Congress, and on the 15th of August, 1893, the city of Philadelphia, by an ordinance, offered to sell to the United States certain portions of the square bounded by Broad, Race, Cherry, and Juniper streets at the price of $110,000, which was the value of the property as assessed for taxation; and by letter dated October 4, 1893, the Department informed the Attorney-General that it had selected said entire block of ground as a site for the proposed mint building, and requested that such instructions might be given as were necessary to have proceedings in condemnation instituted against it, except the parcels owned by the city of Philadelphia.

In accordance with this request the United States attorney for that district was instructed to institute proceedings on behalf of the United States against the whole property, except the parcels owned by the city of Philadelphia, and these proceedings were commenced. The awards made in these proceedings amounted in the aggregate to $490,325, exclusive of the property belonging to the city and offered to the United States for $110,000, as above stated.

On appeals by some of the owners this aggregate was increased to $503,825, in addition to the $110,000, leaving one appeal, that of Richard Wistar, still to be tried. The amount originally awarded for Mr. Wistar's property was $240,000, and the appeal was prosecuted upon the ground that this was an undervaluation. Pending this appeal Mr. Wistar died, having made a will, which was contested by certain persons claiming to be his heirs at law.

In view of the complications arising from the appeal of Wistar, the contest over his will, and other difficulties, the Attorney-General was requested, on August 4, 1894, to abandon the proceedings in condemnation against said property, and the Department selected as a site for the mint the property at the corner of Sixth and Spring Garden streets, which, in consideration of the sum of $305,000, was, on the 26th day of December, 1894, conveyed to the United States.

A contract has been made for the removal of all the buildings standing upon the site purchased, and that work is now being done.

General designs for the interior arrangement of the new building to be erected have been made, and sketch plans, estimates, etc., will be commenced and completed as soon as the inadequate force now authorized to be employed in the office of the Supervising Architect will permit.

Very respectfully, yours,

J. G. CARLISLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 160.

GOVERNMENT WHARF AT SITKA, ALASKA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REQUESTING

An appropriation for the repair of a Government wharf at Sitka, Alaska, and making certain recommendations with regard to said wharf.

JANUARY 21, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 18, 1896.

SIR: At the date of the purchase by the United States Government of the Territory of Alaska the Russian Government transferred, among other properties, a wharf at Sitka, Alaska, regarding which the collector of customs at Sitka, Mr. George Moore, reports to this Department in substance as follows:

That all of the water front, where wharfage is practicable, has been reserved to the Government, and that the wharf in question is the only one at Sitka; that said wharf is an approach to the United States warehouse now in use at this port, and that the wharf is out of repair and in danger of destruction by the elements.

In view of the above facts, and of the further facts that there is no appropriation available for the repair or construction of the wharf, and that there is no authority to charge dockage or wharfage, I have the honor to make the following recommendations:

That an appropriation be made in the sum of $5,000, or so much thereof as may be necessary, for the purpose of reconstructing or repairing and putting in safe and proper condition the wharf at Sitka, Alaska;

That the Secretary of the Treasury be authorized to charge and fix the rates of dockage and wharfage to be paid by any private vessel or person allowed to use said wharf;

That the Secretary of the Treasury be authorized to employ a watchman at said wharf, at a salary not to exceed $900 per annum;

That the compensation of the watchman to be employed at the wharf, and the necessary incidental expenses and cost of any future necessary repairs thereto, be paid out of the amount received from

dockage and wharfage, and that the balance of said receipts be deposited with the Treasurer of the United States as a miscellaneous receipt derived from Government property; and

That the Secretary of the Treasury direct, by regulation or otherwise, by whom said wharfage and dockage receipts shall be collected.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 161.

REV. E. ASHLEY.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of the Interior, submitting a request for authority to use unexpended balance of an appropriation to reimburse Rev. E. Ashley for services.

JANUARY 21, 1896.—Referred to the Committee on Indian Affairs and ordered to be printed.

TREASURY DEPARTMENT, *January 20, 1896.*

SIR: I have the honor to transmit herewith for the consideration of Congress a communication from the Secretary of the Interior, of the 17th instant, submitting a clause of appropriation for inclusion in the Indian appropriation bill authorizing the payment of the sum of $700 from any unexpended balance of the appropriation for the support of Sioux of different tribes, including Santee Sioux of Nebraska, for the fiscal year ending June 30, 1896, to reimburse the Rev. E. Ashley, of Cheyenne River Agency, S. Dak., for money expended by him in the employment of counsel to defend seven Indian policemen charged with murder.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 15, 1896.

SIR: I have the honor to transmit herewith copies of a communication dated the 23d ultimo, and inclosures thereto, from the United States Indian agent at the Cheyenne River Agency, S. Dak., relative to the request of the Rev. E. Ashley, a missionary residing at that agency, to be reimbursed in the sum of $700, which appears to have been advanced by himself and friends to secure the services of competent counsel to defend seven Indian policemen of said agency, charged

with the crime of having murdered a "squaw man" named William Fielder. The inclosures of the agent's letter are (1) letter from Mr. Ashley; (2) letter from the Rev. William H. Hare, Bishop of South Dakota, and (3) letter from Granville G. Bennett, of Deadwood, S. Dak., of counsel for the accused.

The letters above referred to set forth some of the facts of the case at hand, but all of the circumstances of the alleged crime and the subsequent proceedings growing out of it will be found in a communication dated July 3, 1895, addressed by this office to the Department. (See copy herewith.)

In the office letter above mentioned, occasion was taken to say that the action of the United States attorney for the district of South Dakota in noting an appeal from the decision of Judge Edgerton, of the United States district court, who had released the prisoners on habeas corpus proceedings, was regarded as a species of persecution, and closed with the recommendation that the Attorney-General be requested to direct the United States attorney to dismiss his appeal. The effect of this recommendation was that the Attorney-General telegraphed the United States attorney, under date of July 3, 1895, instructing him to dismiss the appeal in the proceedings before Judge Edgerton, of which fact this office was duly advised by the Department in its reference of a communication from the Attorney-General, dated July 5, 1895.

On being notified by this office of the action of the Department of Justice, Agent Couchman, of the Cheyenne River Agency, reported in part as follows:

> I would respectfully state that I feared the effect of a revival of these cases by the district attorney. The police themselves and all the Indians looked upon the matter as settled when Judge Edgerton released them from prison, and had his action been reversed on appeal to the United States circuit court, I do not think I am saying too much when I state that the consequences would have been serious indeed, even to the shedding of blood.

It is true, as the agent states, that he applied for counsel, but as the law prohibits such employment (sec. 189, R. S.) on behalf of the Government by any Executive Department other than the Department of Justice, his application could not be granted. About that time, also, I was approached by members of the Indian Rights Association, and was urged by them to provide legal assistance for the Indians. In view of the statute, however, I was forced to decline to do so, but assured them that if they could procure the necessary funds for the purpose of providing able counsel for the Indians I would do what might properly be within my power to secure them reimbursement from the Government at the proper time.

The facts submitted will, I feel sure, furnish abundant evidence that Mr. Ashley and his friends have, at the solicitation of the Indian Rights Association, done a very charitable and praiseworthy act in aiding the Indians, in the manner stated, to obtain the justice due them.

I have therefore the honor to recommend that Congress be requested to authorize the payment of $700, under the direction of the Secretary of the Interior, to the party or parties entitled thereto, as reimbursement for moneys actually expended in securing able counsel for the Indians mentioned. I inclose a form for this purpose and ask that it be incorporated in the Indian appropriation bill for the fiscal year 1897.

Very respectfully,

THOS. P. SMITH,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
January 17, 1896.

Approved, and respectfully forwarded through the Honorable Secretary of the Treasury for the favorable consideration of Congress.

HOKE SMITH, *Secretary.*

The Secretary of the Interior is hereby authorized and directed to reimburse, upon the presentation of proper evidence, out of any unexpended balance of the appropriation for the support of Sioux of different tribes, including Santee Sioux of Nebraska, for the fiscal year ending June thirty, eighteen hundred and ninety-six, the Rev. E. Ashley, of Cheyenne River Agency, South Dakota, for money expended by him in the employment of counsel to defend seven Indian policemen of said agency, charged with the crime of murder: *Provided,* That not more than seven hundred dollars be used for this purpose.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Cheyenne River Agency, S. Dak., December 23, 1895.

SIR: I would respectfully state that I have carefully read the accompanying letter of Rev. E. Ashley, of this place, dated December 23, 1895, and that of my own personal knowledge what he states in regard to employing counsel and soliciting money from Eastern friends of the Indians is according to the facts, and that, as stated, the counsel fees were as low as could be procured at the time and under the circumstances, and in my opinion Congress should refund the money to the friends of the Indians, especially as the Indians were policemen acting under the authority of the Government.

You will doubtless recall the fact that I applied to the Department for counsel at the time of the trial of these seven policemen, but the law prohibits the employment of counsel on such cases, and it was at this time that Mr. Ashley came to the rescue and appealed to his friends with the result stated, and simple justice requires that the friends who so advanced the money should be reimbursed by the United States.

Very respectfully,

PETER COUCHMAN,
United States Indian Agent.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

CHEYENNE RIVER AGENCY, *December 20, 1895.*

SIR: A resident missionary at this place, I was conversant with all the facts relative to the killing of one William Fielder, by the United States Indian police of this agency, in March, 1893, while in the execution of their duty.

Shortly after the occurrence they were taken before the grand jury in Pierre, and no bill found against them.

In February, 1895, the seven men were arrested and taken to Deadwood, 875 miles by rail, and there indicted for murder, to the surprise of every friend of the Indian policemen. No one expected this, and the men themselves were put in a very trying position. They believed they had done their duty, but now found themselves prosecuted by the Government whose laws they had sworn to defend.

They were put on trial for their lives, and were without funds to procure proper defense. All efforts failed to obtain the help they needed. At this juncture, with other friends, I did the best I could to procure counsel at the lowest possible cost, under the circumstances. No one seemed willing to touch the case for less than $1,000. Finally two lawyers offered to defend the men if someone would enter into an obligation to pay them $700. Although without funds, I obligated myself to pay this amount, and at once appealed to friends to help me. They interested themselves in raising the money, and finally my friend, E. Y. Hartshorne, of Philadelphia, sent me a check for the amount, which was paid over to the attorneys, the receipt of which is herewith inclosed.

My action in the matter was to protect the policemen, who, I believed, were not guilty of murder, and also to aid the whole Indian service; for, had the men been convicted and hanged, the effects would have been disastrous, and perhaps caused an Indian uprising.

In justice to the friends who subscribed the money to enable me to carry out the contract, I trust that you may be able to make some provision for my reimbursement, since the charge is one which would have had to come out of a public fund, if one had been available for that purpose at that time.

Very respectfully,

E. ASHLEY.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

1013 CLINTON STREET,
Philadelphia, December 28, 1895.

SIR: An effort is on foot to secure from the Indian Department an appropriation to reimburse the Rev. Mr. Ashley and certain other friends of the Indian police at the Cheyenne River Agency for amounts expended by them in securing counsel for certain Indian policemen who were prosecuted by the United States district attorney in the United States court at Deadwood.

I am quite familiar with this case, and was instrumental to a degree in securing the release of the policemen on habeas corpus.

The Indian police are the skeleton on which is growing up the new life and the new organism which it is the policy of your Department to encourage in the Indian country in place of the old system, which was practically inconsistent with loyalty to the United States and with the laws and customs which prevail throughout our country. Because the police are such an important element in the new system they are peculiarly liable to hostility, especially from the half-breeds and squaw men, at least the lower class of them, who hate to see the supremacy which they enjoyed when absence of law and ignorance reigned supreme overthrown.

I knew William Fielder, the squaw man whom the Indian police killed in their own defense while he was assaulting them, for some twenty years before his death. He was always a bad-tempered man, frequently a hard drinker, and when under the influence of liquor very ugly and very dangerous.

When the case of the Indian police, after having been dismissed by the late United States district attorney, was revived after two years or thereabouts by his successor, I felt that it was of supreme importance to the very life of the policy, which you and your predecessors have encouraged, that these Indian policemen should be adequately defended, an opinion which was shared by United States Agent Couchman, Rev. Mr. Ashley (for many years a missionary among the Sioux), and by others. I am firmly of the opinion that nothing but the courage, promptness, and ability with which these friends of the Indians came to the support of the Indian police saved the whole system from a blow which would have been fatal to it, and the Government and all good citizens owe, in my opinion, a great debt to them, and I very earnestly hope that you may find it possible to take some measures which will result in the reimbursement of the $700 which they raised and paid out in retaining counsel and perhaps in other legal expenses.

Very respectfully, yours,

WILLIAM H. HARE,
Missionary Bishop of South Dakota.

The COMMISSIONER OF INDIAN AFFAIRS.

DEADWOOD, S. DAK., *July 13, 1895.*

DEAR SIR: We are in receipt of your favor of 8th instant, inclosing a draft for $700 in payment of obligation for attorneys' fees in case of United States *v.* Straight Head et al., for which we are very much obliged. We inclose agreement to pay, executed by the defendants and guaranteed by you and others.

Very respectfully,

GRANVILLE G. BENNETT.

Rev. E. ASHLEY,
Cheyenne River Agency, S. Dak.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 3, 1895.

SIR: Under date of March 10, 1893, Frank Lillibridge, esq., the United States Indian agent for the Cheyenne River Agency, S. Dak., reported to this office the killing of a squaw man on the reservation on March 8, 1893, by Indian policemen of

that agency, while resisting arrest and attempting the lives of the said policemen with an ax. The circumstances of the killing were, as reported by the agent at the time, briefly as follows: On March 7, 1893, Mrs. Fielder was paid a sum of money amounting to $200 on account of her "pony claim." In the afternoon of the same day that this money was paid to her she went with her husband to Forest City, and while there gave him $105 of the sum with which to settle some debts. On returning to the reservation she hid the rest of the money. On the morning of the 8th Fielder demanded more money, and when she refused to give it to him he threatened to kill her, and followed up the threat with a most savage attack, knocking her down with a heavy stick of wood and beating her into insensibility. When she revived he was gone and she managed to reach the agency and make her complaint to the agent.

Later in the day the agent sent the captain of police, with six men, to arrest Fielder and bring him to the agency, instructing them not to hurt him. They endeavored to persuade him to submit quietly to arrest, but he had been drinking and refused to be reasoned with. He armed himself with an ax, and at the time the first shot was fired he was attempting to brain the captain of police, and would have succeeded but for the fact that the blow aimed at the policeman was interfered with by the ax coming into contact with the eaves of the house. After he had been shot he made assaults on the other policemen with his ax, and all had to shoot him in their own defense until he was killed.

On receipt of Agent Lillibridge's report the office, on March 24, 1893, transmitted a copy thereof to the Department, with the following remarks and recommendation, namely:

"While it would appear from the agent's report and the investigation instituted by him that the Indian police have been guilty of no crime in killing this man under the circumstances, still I deem it expedient that the matter should be inquired into by officers of the Department of Justice, so that the Indian police may be authoritatively exonerated if they are not guilty of wrong, or punished if a crime has been committed.

"I have the honor, therefore, to recommend that the matter be referred to the Attorney-General with the request that the United States district attorney for the district of South Dakota be instructed to take steps to have the matter properly investigated by the judicial authorities of the United States."

In pursuance of this the district attorney for South Dakota was properly instructed in the premises, and under date of April 10, 1893, he reported to the Department of Justice as follows:

"In reply I would state that prior to the receipt of your letter a judicial investigation in regard to the killing of William Fielder had already been had. As soon as I learned of the killing of Fielder I investigated the matter, and although I was satisfied that the Indian police had not been guilty of any crime in connection with Fielder's death, I thought that a judicial investigation ought to be had, and accordingly had all of the Indian police concerned arrested and brought before a commissioner. On the hearing before the commissioner the defendants were bound over to await the action of the grand jury, which convened at Pierre on March 28. The case was then presented to the grand jury, and after a thorough investigation a return of 'No bill found' was made. In my judgment no blame can be attached to the agent and none to the Indian police, except, perhaps, that they were too hasty in their action."

It will be seen from the foregoing that when the killing of Fielder occurred the office and the department took prompt steps to assist the Department of Justice in its investigation of the matter; that a fair investigation was had, and the Indian police were exonerated by the United States grand jury. Thus the matter stood, and it was supposed that after all that had been done the ends of justice required no further inquiry by the judicial officers.

The office was therefore surprised on receipt of a report of November 29, 1894, from Peter Couchman, the present agent, Cheyenne River Agency, conveying the information that the Indian policemen involved in the Fielder killing had again been arrested and held for the action of the grand jury at Deadwood, S. Dak. The reasons for the revival of the matter after so long a time, and especially since it had once been thoroughly investigated, do not seem to be very clear, but it appears that the principal instigator is one Louis Benoist, a half-breed of the reservation, who has heretofore been reported to this office as being an unscrupulous man and a great mischief-maker.

By a letter of January 8, 1895, I instructed Agent Couchman that when the grand jury came to consider the case to proceed to Deadwood and lay before that body all the facts connected with the killing, and in case an indictment be found against the Indians to appear at the trial and request the court to appoint some attorney of experience and competent to defend them.

Under date of February 12, 1895, Mr. Couchman telegraphed me that an indict-

ment for murder had been returned against the Indians, and that the witnesses which he had brought in favor of the Indians were not permitted to testify before the grand jury, and recommending that the Department of Justice be requested to direct the district attorney to nol-pros the case. All the facts in the case seemed so clearly to point to the innocence of the Indians that I felt that such a request of the Department of Justice would not be unreasonable under the circumstances. I accordingly submitted the matter to the Department in my report of February 15, 1895, with the recommendation that the Department of Justice be requested to direct the district attorney to enter a nolle prosequi in the suit. This the Attorney-General declined to do.

The trial of the charge was fixed for February 22, 1895, but it was postponed by direction of the Attorney-General until the district attorney could report on the case and receive instructions from the Department of Justice. There was no nolle prosequi entered and at the trial five of the Indians were acquitted, while the other two (there were seven in all involved) were convicted of "an assault with intent to do great bodily injury."

Through the efforts of the Indian Rights Association able counsel was provided for the defense of the Indians. On the conviction of the two for the crime (?) above mentioned, these attorneys sought to have them released through habeas corpus proceedings. In deciding the habeas corpus case Judge Edgerton said:

"It is the pride and glory of our laws that no man may be deprived of life or liberty without due process of law, and whenever any person who is deprived of his liberty presents to any United States court, or any judge thereof, his petition in due form, claiming that his imprisonment is unjust and illegal, that court or judge must promptly hear his case. We have no record of any judge of any Federal court having ever shrunk from the conscientious discharge of his high duty in this regard. This court shall follow in the footsteps of its predecessors. I have given the most careful and diligent attention to the argument of counsel and to the authorities cited, and it seems to me that the only question for me to consider is the bare, naked, bald question of law, Does the return of the Warden to the writ of habeas corpus show that petitioners are held prisoners by him with authority of law?

"In order that the warrant of commitment under which he holds them be 'due authority' in a legal sense, two things most positively appear by the return. First, that the court which tried the defendants on the charge of murder had jurisdiction both of the person of the defendants and of the offense of which they were convicted. The defendants were tried on an indictment for murder. The circuit court which tried them had jurisdiction of that offense, the jury found the defendants not guilty of murder, but guilty of an 'assault with intent to do great bodily injury.' This is an acquittal of all offenses of a higher grade than mere assault, and this, according to all known authorities, is but a mere misdemeanor, and did not justify the trial court in passing the sentence of imprisonment in the penitentiary which it did, which sentence can only be passed upon a conviction of felony. Upon this ground it would be the duty of this court to discharge defendants, but I will go further. Had the trial court jurisdiction of the offense of which the defendants were found guilty at all? In other words, and to put it more plainly, is there any such offense as assault with the intent found by the jury known to the Federal courts? If so, it must appear plainly and unequivocally by statute—so plain that none may mistake it. The learned district attorney has cited me to no such law. None exists.

"Therefore my duty is plain, and I am without doubt as to the correctness of my decision, which is that petitioners be discharged, and it is so ordered."

The foregoing is a brief history of the killing of Fielder, the first investigation, and the recent trial of the Indians.

I now have the honor to invite the attention of the Department to a telegram which I have just received from Agent Couchman, as follows, namely:

"Notice served of appeal by the district attorney South Dakota from decision of United States District Judge Edgerton, who granted writ of habeas corpus in cases Captain Straight Head and Sacres the Hawk, and releases them from prison. The appeal comes up July 5 before United States court, Sioux Falls. This is in my opinion persecution on the part of the district attorney. Will not the Attorney-General instruct him to abide the decision of Judge Edgerton? The police and their friends have already expended over $2,000 in defending their action in discharging their duty to Government. This appeal will perhaps cost as much more, and the Indians are without means to meet it. Should Judge Edgerton's decision be reversed and the police be again imprisoned, the consequences, I believe, will be very serious. I leave for Sioux Falls to-morrow."

As stated by the agent, this last step on the part of the United States attorney seems to be nothing more than a persecution of these Indians. They have already been impoverished by the great expense to which they have been put in defending themselves against the charge of murder which has not been sustained. All the cir-

cumstances in connection with the late trial give indication more of a malicious intent to persecute these Indians than to subserve the ends of justice. The indictment was returned on February 12, 1895, and the trial first set for February 22, 1895, yet at the same time it was known that the only assistance the Indians could receive must be through the intervention of this department. The notice of appeal from Judge Edgerton's decision releasing the Indians was served July 2, 1895, and the trial fixed for July 5, 1895. It seems all along to have been the intention to rush this matter through and give the Indians as little opportunity as possible to prepare for the trial of the many questions that the courts have had to pass on in their case.

On March 30, 1895, eleven of the jurors before whom the seven Indians were tried signed a petition to the President, praying for the immediate and unconditional pardon of the two who had been found guilty of the offense of "assault with intent to do great bodily injury," an offense which Judge Edgerton declares is unknown to the law.

Judge Elmer S. Dundy, who presided at the trial, in a letter of April 1, 1895, to the President, joins in the petition for a full and complete pardon for the two convicted Indians. He concludes his letter as follows, namely:

"All of the parties charged stood on an equality in the shooting and consequent killing. The two convicted, as well as the others, bear an excellent reputation as policemen. So far as can be done, it seems to me that the Indian police system, originated and sustained by the Government, ought to be upheld. The ends of justice have been fully subserved in this instance, as I think, hence my joining in the request for a pardon."

As Judge Dundy has stated that he believes the ends of justice "have been fully subserved in this instance," as the Indians have been impoverished by the long and tedious defense they have been forced to make, I do not see how any good can result from a further persecution of them, even if the district attorney should fail in reversing Judge Edgerton's decision in the habeas corpus case, the possibility of which is, in my belief, not remote. I have the honor, therefore, to recommend that the Attorney-General be requested to direct the United States attorney for South Dakota to dismiss his appeal.

As Agent Couchman reports that the appeal is to be tried on July 5, 1895, and as to-morrow will be a public holiday, I have the honor to recommend that this matter be called to the attention of the Attorney-General this afternoon.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 5, 1895.

SIR: Your letter of the 3d instant, inclosing a communication to you from the Commissioner of Indian Affairs, requesting that the United States attorney for the district of South Dakota be instructed to dismiss the appeal taken by him from the decision of Judge Edgerton in the case of the United States against Straight Head and Scares the Hawk, Cheyenne River Indian policemen, was received on Wednesday afternoon, the 3d instant, and I immediately instructed the United States attorney by wire as requested.

Respectfully,

HOLMES CONRAD,
Acting Attorney-General.

The SECRETARY OF THE INTERIOR.

UNITED STATES INDIAN SERVICE,
Cheyenne River Agency, S. Dak., July 8, 1895.

SIR: I would respectfully acknowledge the receipt on the 5th instant, in Sioux Falls, S. Dak., of office telegram of same date, informing me that the Department of Justice directed the district attorney on 3d instant to dismiss Straight Head habeas corpus suit.

I left the agency on the 2d instant, as soon as I was informed of the intended appeal of the district attorney from Judge Edgerton's decision, and proceeded to Sioux Falls, where I remained until I received the telegram above referred to, when I immediately returned to agency, reaching the same yesterday. As soon as notice was served of the appeal, I decided to wire you and proceed to Sioux Falls, and there do what might be in my power in the interest of the police.

I would respectfully state that I feared the effect of a revival of these cases by the district attorney. The police themselves and all the Indians looked upon the matter as settled when Judge Edgerton released them from prison, and had his action been reversed on appeal to the United States circuit court I do not think I am saying too much when I state that the consequences would have been serious indeed, even to the shedding of blood.

Before the release of Straight Head and Scares the Hawk from the Sioux Falls prison my Indians were becoming very uneasy. The police and judges of the court of Indian offenses were very desirous of resigning their offices, and information reached me that some of the Indians were so wrought up over their unjust confinement that they meditated serious mischief. Knowing this state of feeling to exist, I desired to settle the appeal proceedings promptly and before the Indians learned that the matter had been called up again.

I appreciate the prompt action of the Department, and on behalf of the Indians interested desire to thank you for the warm interest you have ever taken in the matter from beginning to end.

Very respectfully,

PETER COUCHMAN,
United States Indian Agent.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 162.

POLLY BLACKWELL AND OTHERS.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed in the cases of Polly Blackwell, Thomas. J. West, administrator, and James C. Hodges, against the United States.

JANUARY 21, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 20, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed in each of the aforesaid causes, which cases were referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 9239. Polly Blackwell *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Polly Blackwell, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed April 23, 1894.

[Court of Claims. Congressional case No. 9239. Wm. Taylor, administrator Polly Blackwell, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 31st day of January, 1893.

On a preliminary inquiry, the court, on the 19th day of April, 1894, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 26th day of March, 1895.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Conway Robinson, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant, in his petition, makes the following allegations:

That he is a citizen of the United States, residing in Rockingham County, State of Virginia, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from her quartermaster stores and commissary supplies of the value of $865, and appropriated the same to the use of the United States Army, as follows:

10 hogs	$165.00
4 cows	192.00
1 calf	18.00
1 horse	125.00
1 horse	125.00
100 pounds bacon	20.00
2 tons hay	30.00
4,000 rails	160.00
2,000 feet lumber	30.00
Total	865.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

A portion of the property above described was not taken for the use of the Army, and so much of the claim as embraces that property is not within the jurisdiction of the court under the decision in Conrad's Case (25 C. Cls. R., 433), and has not been considered or allowed by the court.

A portion of the property above described was taken for the use of the Army, the reasonable value of which was ($230) two hundred and thirty dollars.

It does not appear that any part of the above has been paid for.

BY THE COURT.

Filed April 1, 1895.

A true copy.

Test, this 20th day of January, A. D. 1896.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional, No. 1631. James C. Hodges *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that James C. Hodges, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed May 28, 1888.

[Court of Claims. Congressional Case No. 1631. James C. Hodges *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 20th day of February, 1887.

On a preliminary inquiry the court, on the 28th day of May, 1888, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 18th day of December, 1895.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by John G. Capers, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in New Market, Jefferson County, State of Tennessee, where he resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from him quartermaster stores and commissary supplies of the value of $396.16, and appropriated the same to the use of the United States Army, as follows:

22 bushels corn	$22.00
2,300 pounds hay	23.00
320 pounds pork	32.00
22 bushels oats	22.00
2 barrels vinegar	16.50
10 gallons tanner's oil	40.00
8,022 fence rails	240.66
Total	396.16

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from claimant's place at New Market, Jefferson County, State of Tennessee, in January, 1863, by the military forces of the United States, for the use of the Army, stores and supplies of those above described which at the time and place of taking were reasonably worth the sum of ($319) three hundred and nineteen dollars.

It does not appear that any payment has ever been made for any part thereof.

BY THE COURT.

Filed December 23, 1895.
A true copy.
Test this 20th day of January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional, No. 5835. Thomas J. West, administrator of Thomas West deceased, *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Thomas West (now deceased), the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed June 19, 1893.

[Court of Claims. Congressional case No. 5835. Thomas J. West, administrator of Thomas West, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 6th day of August, 1888.

On a preliminary inquiry the court, on the 19th day of June, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 18th day of December, 1895.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by John G. Capers, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations: That he is a citizen of the United States residing in Jefferson County, State of West Virginia, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from said decedent quartermaster stores and commissary supplies of the value of $3,380 and appropriated the same to the use of the United States Army, as follows:

14 beef cattle	$560.00
7 horses	1,400.00
28 improved sheep	250.00
28 pen hogs	560.00
10 tons hay	200.00
540 pounds bacon	135.00
125 bushels corn	125.00
1 set six-horse gears	150.00
Total	3,380.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the place of claimant's decedent in Jefferson County, State of West Virginia, in the year 1864, by the military forces of the United States for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of one thousand and fifty-four dollars ($1,054).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed December 23, 1895.
A true copy.
Test this 20th day of January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 163.

SURVEY FOR BRIDGE ACROSS ANACOSTIA RIVER (EASTERN BRANCH OF THE POTOMAC RIVER), DISTRICT OF COLUMBIA.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A letter from the Chief of Engineers, together with a copy of a report of a survey for a bridge across the Eastern Branch of the Potomac River, District of Columbia.

JANUARY 22, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 21, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers, dated January 18, 1896, together with a copy of a report from Maj. Chas. E. L. B. Davis, Corps of Engineers, dated January 14, 1896, of a survey made by him in compliance with the provisions of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1896, and for other purposes, approved March 2, 1895, for a bridge across the Eastern Branch of the Potomac River, District of Columbia.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 18, 1896.

SIR: The act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1896, and for other purposes, approved March 2, 1895, contains the following item:

Bridge across the Eastern Branch: To enable the Secretary of War to make a survey, plan, and estimate of the cost of the construction of a substantial and suitable bridge, with necessary approaches, from the foot of South Capitol street, or below

it at the most available point, across the Eastern Branch of the Potomac River, in the District of Columbia, and to report thereon to the Congress of the United States with such recommendations as he may deem proper, three thousand five hundred dollars.

The duty of making the survey and preparing plan and estimate for a bridge thus provided for was, with the sanction of the Secretary of War, assigned to Maj. Chas. E. L. B. Davis, Corps of Engineers, and I have now the honor to submit the accompanying copy of report of January 14, 1896, with three drawings, by that officer upon the subject.

In the opinion of Major Davis, the most advisable location in the event of the construction of the proposed bridge is at the foot of First street southwest, and he estimates that a bridge at this locality will cost $779,130.

Major Davis in closing his report states that—

> The site of the bridge estimated for has been selected on the grounds stated, so that in case Congress should decide on having the bridge built it would subserve the best interests both of the public and the United States, but it is my opinion that no such bridge should ever be permitted to be built.

The proposed bridge site lies below the navy-yard, and Major Davis therefore calls attention to the fact that at the present time there is no drawbridge between any navy-yard and the sea in the United States, and that there should be a clear and unobstructed channel from the Washington Navy-Yard to the sea and to its important proving grounds at Indian Head, on the Potomac.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY FOR A BRIDGE ACROSS THE ANACOSTIA RIVER (EASTERN BRANCH OF THE POTOMAC RIVER), DISTRICT OF COLUMBIA.

UNITED STATES ENGINEER OFFICE,
Washington, D. C., January 14, 1896.

GENERAL: I have the honor to submit the following report upon a survey, plan, and estimate of cost of a bridge across the Anacostia River (Eastern Branch of the Potomac River), District of Columbia, from the foot of South Capitol street, or below it at the most available point, made in accordance with the provisions of the District of Columbia appropriation act of March 2, 1895, and Department instructions of May 1, 1895.

PROVISIONS OF ACT OF MARCH 2, 1895.

The act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1896," approved March 2, 1895, contains the following provision (p. 9) for this survey:

> Bridge across the Eastern Branch: To enable the Secretary of War to make a survey, plan, and estimate of the cost of the construction of a substantial and suitable bridge, with necessary approaches, from the foot of South Capitol street, or below it at the most available point, across the Eastern Branch of the Potomac River, in the District of Columbia, and to report thereon to the Congress of the United States with such recommendations as he may deem proper, three thousand five hundred dollars.

The duty of making the above survey was assigned to my charge by letter of the Chief of Engineers dated May 1, 1895.

The funds appropriated were not available until July 1, 1895, so that the active operations of the survey could not be undertaken until after that date.

In the meantime a general plan of operations was outlined, the preliminary data necessary to a proper study of the question were collected, and communication had with the citizens interested in the project in order to ascertain their views and suggestions.

SURVEY.

The field work of the survey was commenced July 24, 1895. As the act of Congress provided for a survey of a line "from the foot of South Capitol street, or below it at the most available point," the survey was made sufficiently comprehensive to include all practicable sites between the foot of South Capitol street and the mouth of the Anacostia River. Accordingly a complete topographical survey was made of the right or northerly shore of the river between the foot or easterly end of R street south and the mouth of James Creek Canal, and of the left or southerly bank between Poplar Point and Giesboro Point, and a careful hydrographic survey of the river channel and the adjacent flats was made between the limits first above mentioned. The results of the survey are shown on the accompanying general map (Sheet No. 1), upon which are also shown the bulkhead and wharf lines on this part of the Anacostia River, approved by the Secretary of War, May 21, 1892. (See Report of the Chief of Engineers for 1892, p. 1079.)

It was an evident requisite of a practicable bridge site that its initial point should be at the foot or on the line of a north and south street, which should afford ready access to and from the business center of the city. It was also regarded as essential that the direction of the bridge across the stream should be normal or at right angles to the general direction of the bulkhead lines established for future limits of the navigable channel, and that the assumed bridge line should be at a locality where the direction of the future channel was sufficiently straight to permit the easy and safe passage of vessels through the draw openings.

In view of these essential requirements and of the lines of travel to be accommodated on the southerly side of the river, three trial lines of survey were regarded as meeting fully the requirements of the act of Congress, commencing as follows:

1. At the foot of South Capitol street at its intersection with T street south.
2. At the intersection of One-half street west with U street south.
3. At the foot of First street west at its intersection with the right bulkhead line.

At each of these localities the street lines were determined and lines of survey were carefully laid out normal to the general direction of the bulkhead and wharf lines. Each line was run across the channel and the adjacent flats to the left bank of the river and measured with a graduated wire. The initial and terminal points of each line were carefully marked with stakes and a sufficient extension of each line to cover the approaches was made. On each line levels were taken on the shore down to high-water mark, and thence across the stream measured lines of soundings were taken at intervals of 10 feet in the channel and at intervals of 50 feet across the flats, where the depth is comparatively

uniform. There was thus obtained the data needed for a profile of each line. The soundings were reduced to the low-tide datum of the Potomac River improvement and the levels referred to the same plane.

The three lines of survey are shown on the accompanying map (Sheet No. 1), and the profile of each line within the limits of the right shore and the left bulkhead line will be found on Sheets 2 and 3.

The field work of the survey was completed September 13, 1895.

BORINGS.

In order to ascertain the nature of the underlying strata and to determine the character of the foundations required for the piers and abutments of the bridge, borings were taken on each of the three lines. A small outfit of boring tools was purchased and the boring operations conducted from the pile driver belonging to the United States. The results of the borings are shown on the profiles of each line and given in more detail in the description of each line, as well as in the tables appended to this report.

TEST PILES.

Test piles were driven at intervals on the several lines in order to ascertain the resisting power of the strata which would safely carry the weight of the piers and bridge. The results of the driving of test piles are shown in part upon the profiles and in detail upon the tabular statement appended to this report.

SOUTH CAPITOL STREET LINE.

The trial bridge line at the foot of South Capitol street commences at the intersection of the center lines of South Capitol street and R street south, and extends across the river to Poplar Point. For the north approach the line was continued up South Capitol street 275 feet north of S street on the city side, while on the other side levels were taken up Howard avenue as a convenient approach in this direction. The distance between high-tide mark on the two shores measured along the line of survey is 2,229 feet. The distance between bulkhead lines is 1,200 feet. The existing channel is 210 feet wide between the contours of 18 feet depth, and the maximum depth found was 23 feet at low tide. On the flats on the left side of the river near Poplar Point the depths range from 0.7 to 3 feet.

The borings taken at the right bulkhead line in a depth of 0.9 foot of water showed a stratum of mud 41.5 feet in thickness, underlaid with layers of sand and gravel, the lowest point reached being 69.5 feet below low tide.

At the center of the future channel in a depth of 8.3 feet mud was found to a depth of 42.2 feet underlaid with red and blue clays to a depth of 63.4 feet, where the boring was stopped. On the left bulkhead line in a depth of 3.3 feet at low tide the stratum of mud is much thinner, gravel being found at a depth of 22.6 feet. Below this layers of sand and gravel, alternating with clay, were passed through until the boring terminated in a compact green sand 52.8 feet below low tide.

The higher position of the hard strata, as shown by this boring, is fully confirmed by the outcrop of hard gravel on Poplar Point, which projects into the river and has evidently long resisted the erosive action of the stream. It is to be observed, however, that a part of the projection, shown on the accompanying map, is due to the deposit of material dredged from the channel.

The test piles driven on this line penetrated to depths of from 49 to 54 feet below low tide into hard strata, giving on the last blow an average penetration (or "refusal") of 1 inch from a blow of a hammer weighing 2,000 pounds and falling 10 feet.

The results of the borings and driving of test piles show that good pile foundations can be secured on this line within a reasonable depth.

The line crosses the stream on a comparatively straight reach of the river and the draw could readily be passed by vessels.

The terminus of the line on the left shore of the river is about 1.2 miles by road from the Anacostia end of the Navy-Yard Bridge. The distance from the intersection of Seventh street and Pennsylvania avenue to the intersection of Howard and Nichols avenues by the South Capitol street line would be about 3.4 miles and by the Navy-Yard Bridge route 3.6 miles, so that no material saving of distance would be effected except from points southwest of Howard avenue, which would evidently be better served by a location farther downstream.

ONE-HALF STREET LINE.

The trial line at the foot of One-half street west commences at the intersection of this street with U street south and extends thence across the river normal to the general direction of the bulkhead lines, the survey line being nearly parallel to the South Capitol street line and meeting the left bank of the river about 1,000 feet below. The length of the line between high-water mark on either side is 2,708 feet. On this line the existing channel has a width of 220 feet between the 18-foot contours, while the maximum depth found was 22.5 feet at low tide. On the flats near the left bank, the depth at low tide ranges from 1 to 3.3 feet.

The borings made on this line give the following results:

At the right bulkhead line in 1 foot of water a stratum of mud 50 feet in thickness was found, then 7.4 feet of sand and gravel underlaid by 11.6 feet of red and blue clay. Beneath the clay green sand was found to the depth of 73 feet, where the boring terminated.

Midway between the bulkhead lines, at the center of the future channel, the existing depth of water is 20.3 feet. Below this 25.7 feet of mud was found and sand and gravel met at 50.6 feet below low tide. The underlying strata are chiefly clay to 65.9 feet below low tide, the lowest point reached.

The boring at the left bulkhead line gives the same general indications as the corresponding boring on the South Capitol street line. Commencing in a depth of 3.8 feet and passing through the mud stratum 21.2 feet in thickness, sand and gravel are met at a depth of 25 feet. The underlying strata are chiefly sands, with some clays, to the depth of 86 feet, where the boring terminated in compact sand. The profile of this line shows clearly the gradual rise of the hard strata toward the left shore.

The test piles driven on this line reached a total penetration of from 51 to 54 feet below low tide and gave an average refusal, under the conditions previously noted, of about 1 inch. The One-half street line would also afford good pile foundations for piers. The location is less favorable for the passage of the draw than the South Capitol street line, owing to the curve in the new wharf and bulkhead lines at Buzzards Point.

Regarded as a line of travel, the conditions are substantially the same as those noted on the South Capitol street line, the termini on the left shore being but about 1,000 feet apart.

FIRST STREET LINE.

The initial point of the line at the foot of First street west is the intersection of the center line of First street with the right bulkhead line. The north approach would be along the line of First street, and the survey was carried north on this street as far as T street in order to ascertain what grades were practicable and what work would be required here.

The bridge line was laid out at right angles to the general direction of the bulkhead lines, which here trend nearly east and west. The distance between the bulkhead lines is 1,200 feet, as in the case of the other lines. For the south approach, the bridge line was continued until it intersected the line of South Capitol street extended, which, it is understood, will be laid out under the highway act and which would presumably be a main line of travel for the section which it would traverse. This line, continuing due south, crosses the wide bay on the southerly shore of the Anacostia at its mouth, making the total length of the line from high-tide mark on the north shore 5,153 feet. The width of the existing channel between the 18-foot contours is 170 feet, while the maximum depth is 24.5 feet at low tide. On the flats south of the channel the depth ranges from 0.9 foot to 4.7 feet.

The formation on the north shore is a hard, compact gravel, sometimes mixed with clay and sometimes with sand, to a depth of 25 feet below low tide, where a stratum of fine, loose sand is met 11 feet in thickness. The underlying strata are chiefly sands and clays, which continued to a depth of 84 feet.

These hard strata, as will be seen by reference to the profile, seem to dip somewhat and even disappear at the center of the new channel. Here, in a depth of 14 feet, river mud was found to the depth of 50.9 feet below low tide, where hard gravel and sand, underlaid by tough and hard clay, were met. The boring at this point terminated in hard clay 61.1 feet below low tide. The dip of the hard strata continues to the southward, and at the left bulkhead line soft mud is found to the depth of 49.2 feet below low tide. After passing a thin layer of sand and gravel the boring showed mud and sand to the depth of 76.1 feet, where stiff clay was met. Underlying the clay is fine sand, in which the boring terminated 97 feet below low tide.

The test piles driven on this line gave good results where they were of sufficient length. On the north shore a pile could be driven but 6 feet into the hard gravel, while in the channel the penetration was from 52 to 55 feet. The test pile at the center of the new channel, where a pivot pier would be required, gave very satisfactory results, showing a refusal of about one-half inch at a depth of 52 feet.

The borings and driving of test piles show that substantial and secure pile foundations for piers are entirely practicable on this line. At the south bulkhead line the piles will need to be longer than at other points.

The alignment of the new channel will permit the safe passage of vessels through the draw of a bridge at this site, although the conditions are not quite as favorable as on the South Capitol street line.

A bridge built on this line would effect a material saving in distance for citizens of the District residing along the shore of the Potomac and on Oxon ridge, along the Giesboro road. From the point where the line of South Capitol street extended would meet Giesboro road the distance to Seventh street and Pennsylvania avenue would be, by the Navy-Yard Bridge, 5.9 miles, while by the First street route it would

be 4.7 miles, showing a saving of 1.2 miles. This section is, however, sparsely settled. The First street route would give more ready means of access to the Government Hospital for the Insane, when the flats are reclaimed, and furnish a more direct land route to Fort Foote and Fort Washington.

COMPARISON OF ROUTES.

The distance between the bulkhead lines being the same on all three of the routes, and the general character of the foundations required being also alike, the cost of the bridge proper will be substantially the same at each locality. The approaches on the South Capitol street line are shorter than on either of the others, so that this will be the least expensive route. The One-half street line stands next in the order of cost, while the First street line, with its long south approach, is the most expensive. In view of the proximity of the Navy-Yard Bridge, it does not appear, however, that a bridge from the foot of South Capitol street to Poplar Point would afford any material advantages as a means of communication, or at least any which would be at all commensurate with the outlay required for its construction, or that any general public interest would be thus subserved. The same view would seem to hold in regard to the One-half street line, and for the same reasons. A bridge at the foot of First street on the line proposed would open a more direct means of communication with a section of the District now somewhat cut off by the lower part of the Anacostia River, and afford a connection with the city for the future extension of South Capitol street, which will probably be an important line of travel in the future. It will also subserve the interests of the United States, in the matter of more direct communication with the defenses of Washington. This route would therefore seem to be the most advisable one, in the event of the construction of the proposed bridge, and the plan and estimate herewith submitted have therefore been prepared for a bridge at the foot of First street.

CHARACTER OF BRIDGE PROPOSED.

The act of Congress calls for a "plan and estimate of the cost of the construction of a substantial and suitable bridge, with necessary approaches." In order to prepare such a plan and estimate it is first necessary to reach some definite determination as to the general dimensions and character of a bridge which will fully meet the future demands of public travel and be of the least possible obstruction to the future navigation of the Anacostia River.

Width of bridge.—The width to be given to the bridge is a preliminary and one of the most important factors to be considered. As to the width of roadway, it is now the usual practice to allow for each single line of teams or vehicles to be provided for a width of 8 feet, thus making the total width of roadway a multiple of 8 feet. The roadways on the Aqueduct Bridge and the Pennsylvania Avenue Bridge across the Anacostia River were each made 24 feet wide to accommodate three lines of vehicles, so that in crowded conditions of the roadway provision may be made for two lines of travel in one direction and one line in the opposite direction. The roadway of Bennings Bridge was also made 24 feet wide. These roadways have been found to be sufficient for ordinary city suburban travel, and for this purpose alone a roadway width of 24 feet would be regarded as sufficient for the bridge at the foot of First street.

It happens, however, that soon after the opening of such a bridge and the establishment of a new line of communication there comes a public demand for more rapid transit, and a request to Congress from street railway corporations for permission to lay tracks across the bridge. Unfortunately the corporations making such requests ignore completely the question as to whether the bridge or its floor were designed for, or are sufficiently strong to support the additional loads which they propose to put upon it, or whether the occupation of the roadway by railway tracks will interfere with the public use of the bridge for ordinary roadway traffic. In view of these considerations, it was deemed advisable to provide in advance for all such requirements, and to assume a width of roadway and design a floor system sufficient for these purposes. For this reason provision has been made for two lines of track in the middle of the roadway, to be used by street railways and teams with heavy loads; and for two lines for lighter vehicles and ordinary wagons, one on either side of the railway tracks, requiring for the four lines of travel a clear width of roadway of 32 feet. The roadway should be divided into track ways, each 8 feet wide, by steel wheel guards, so as to confine travel to definite lines, the two westerly trackways to be used for south-bound and the two easterly trackways to be used for north-bound traffic. As this width of roadway will increase the cost of the bridge over that of a bridge providing only for ordinary travel, it is recommended that Congress provide that such increased cost be paid for by any street railways making use of the bridge.

The sidewalks are a less important factor in the cost of the bridge. Two sidewalks, each 6 feet wide, have been found sufficient on the Aqueduct Bridge, and are proposed for the First street bridge, each sidewalk to be provided with suitable railings.

Floor system.—The character of the floor system to be used on the bridge is of the greatest importance, not so much on account of the cost of the flooring itself as on account of its weight, which must be carried by the supporting trusses. The wooden bridge floors heretofore used for highway bridges are found to decay in a few years, and then need to be replaced at no small expense and inconvenience to travel. For floor joists, large timbers are required, and these, as well as suitable planking, it is now difficult to obtain, by reason of the increasing scarcity of timber. For city bridges, the best practice is now in the line of more permanent and durable bridge floors. Bennings Bridge, recently constructed by the Commissioners of the District of Columbia, was provided with a floor of iron plates on which a sheet asphalt pavement with a concrete base was laid. This floor has served its purpose so well that a similar one is proposed for the First Street Bridge.

It is proposed to carry the load on the bridge roadway and sidewalks to the floor beams at the panel points of the trusses by longitudinal steel girders, those under the center tracks being designed to carry an electric car weighing 16 tons. Upon these girders it is proposed to place corrugated steel plates five-sixteenths of an inch in thickness, well coated with asphalt, and upon these to lay from 4 to 6 inches of rich Portland cement concrete, Portland cement being used to prevent infiltration of water, and consequent rusting of the plates. Upon this base would be laid the asphalt binder, and then the asphalt surface usual in sheet asphalt pavements. The roadway would be crowned and have ample provision for rapid drainage of rain water.

Such a floor system would, in this regard, meet the requirement of the act of Congress for a substantial bridge, and would be very durable.

It would result in a bridge structure of great stiffness, over which horses attached to ordinary vehicles could be driven at a trot, with but slight vibration, and certainly without injury to the structure. The floor will be heavy, however, and will, of course, require stronger trusses than the ordinary wooden floor.

Width of draw opening.—The next factor in point of importance is the width to be given to the draw opening. For ordinary purposes of navigation in this river a width of 100 feet would be ample. The proposed bridge, however, would cross the Anacostia River below the Washington Navy-Yard, and would be the only bridge between the navy-yard and the sea. It was regarded as essential that the views of the Navy Department as to the width of draw opening should be fully met, and these are set forth in the following correspondence:

NAVY DEPARTMENT,
Washington, August 2, 1895.

SIR: I have the honor to inclose herewith a copy of a letter, dated the 31st ultimo, from the Chief of the Bureau of Yards and Docks of this Department, calling attention to the necessity of providing a suitable draw to the bridge to be constructed at the foot of South Capitol street, or below it at the most available point, across the Eastern Branch of the Potomac River, in the District of Columbia, and request that the recommendation of the Chief of the Bureau of Yards and Docks may be given due consideration in the preparation of the plans for this bridge.

I have the honor to be, sir, very respectfully,

W. MCADOO, *Acting Secretary.*

The SECRETARY OF WAR.

DEPARTMENT OF THE NAVY,
BUREAU OF YARDS AND DOCKS,
Washington, D. C., July 31, 1895.

SIR: District act approved March 2, 1895, appropriates $3,500 "to enable the Secretary of War to make a survey, plan, and estimate of the cost of the construction of a substantial and suitable bridge, with necessary approaches, from the foot of South Capitol street, or below it at the most available point, across the Eastern Branch of the Potomac River, in the District of Columbia," etc.

As this bridge, if built, will be below the navy-yard, it is suggested that the attention of the War Department be called to the necessity of providing a suitable draw for vessels approaching the navy-yard. The draw should be at least 150 feet wide in the opening.

Very respectfully,

E. O. MATTHEWS,
Chief of Bureau of Yards and Docks.

The SECRETARY OF THE NAVY.

In compliance with the above request of the Navy Department, provision has been made for draw openings 150 feet wide. It is proposed to build a swing span turning on a pivot pier of masonry placed in the center of the improved channel, the span to be protected when open by a suitable pile protection. The required draw opening must be provided on each side of the pivot pier, and in order to provide for these openings and for the width of bridge proposed when the span is open it will be necessary to construct a swing span 380 feet long. While this length can not be regarded as unusual, the swing span will on this account, as well as by reason of the asphalt floor, be a very heavy and expensive one. The weight of the draw span and its load will be transferred by means of heavy box girders to a circular drum resting on large steel rollers, which turn on a circular track on the top of the pivot pier in the usual manner. The conditions for the foundation of the pivot pier are, as already stated, quite favorable. It is proposed to operate the draw by an electric motor, taking power from some electric-power plant by means of a cable.

Clear height of bridge.—In view of the length and weight of the draw, as well as to avoid delay and danger to public travel, it is desirable that the draw be opened as infrequently as practicable. For this reason it is proposed that the lowest truss member shall be 24 feet above low tide, so as to permit the passage of fairly large tugs, scows, barges, etc., under any of the spans without opening the swing span. This requirement, together with that for clear head room over Water street, fixes the grade of the floor of the bridge at 31 feet above low tide.

Length and character of spans and trusses.—All the spans of the bridge would be through spans. On each side of the swing span it is proposed to build 2 fixed spans of about 205 feet each to span the new channel between the bulkhead lines, all the spans to be steel trusses and the fixed spans to have curved top chords. The general elevation, plan, and cross section of the proposed bridge is shown on sheet No. 3 accompanying this report. This plan is to be understood as quite general in its character. Pratt trusses are shown on the drawing and were estimated for, but it is possible that in actual construction some modifications of the kind of truss and dimensions of spans may be desirable.

Substructure.—The substructure proposed for the bridge proper will consist, as shown upon the drawing, of 1 pivot pier about 44 feet in diameter, 4 channel piers, and 2 piers at the bulkhead lines, all to be built of substantial bridge masonry, with faces of granite.

The depth and character of the foundations of these piers is a most important element in their cost. The borings made on this line showed underlying strata of such a character as to necessitate the founding the piers on piles.

The plan for the improvement of the Anacostia River now before Congress provides for a channel with a maximum depth of 24 feet. While the plan does not contemplate the dredging of the entire channel to this depth, it is assumed that in the course of years, with increasing trade and the needs of the navy-yard, a considerable part of the channel may be dredged to this depth. In order, therefore, to avoid any possibility of the undermining of the piers, it is proposed to place the tops of the foundations of the pivot and channel piers at 24 feet below low tide, while those of the piers at the bulkhead lines were placed at 16 feet below low tide. It is proposed to build the piers within suitable cofferdams, the piles to be capped with a strong grillage, on which the masonry would be built.

Each channel pier is designed to be 7 feet wide and 42 feet long on top under the coping, the length not including the starlings. The batter proposed is one-half inch to 1 foot. The weight will need to be distributed over the foundation area by means of footing courses in the usual manner. The top of the pier is designed to be finished with a granite coping, the top of the coping being 23 feet above low tide.

Approaches.—The Commissioners of the District of Columbia propose the establishment of a street 100 feet wide along the bulkhead lines on either side of the river and which for the purposes of this report may be called Water street. The grade proposed for this street is 14 feet above low tide. Allowing 14 feet for head room and 3 feet for depth of bridge floor and girders, gives 31 feet as the grade of the proposed bridge. As Water street on the north shore will terminate at the James Creek Canal (two squares west) it is assumed that the traffic on it will be light and that a trestle spanning it will not be a serious obstruction. This construction has been adopted in crossing the street on both approaches. At the end of the trestle on either side, it is proposed to place an abutment or retaining wall to retain the end of the earthen embankment forming the approach.

The grade proposed for the north approach will be about 2 feet in 100, descending from the bridge until it meets the established grade of First street. The proposed grade of the south approach is also 2 feet in 100, descending from the south end of the bridge until a grade of 14 feet is reached, 3 feet above the freshet line, which is the proposed general height of the long approach over the flats to the south shore of the river. This roadway should have a longitudinal gradient of 0.5 in 100, alternately rising and falling between the limits of 13.5 and 14.5 above low tide for drainage. Some difficulty will probably be experienced in making the embankment across these flats owing to the thickness of the underlying mud stratum, the probability being that the heavier filling will sink into the mud. To prevent this, mattresses of brush should be laid along the line and the lightest possible material used for filling. The filling of the flats as proposed in the plan for the improvement of the Anacostia River would greatly facilitate and cheapen this work.

The top width proposed for the embankments of the approaches is 50 feet, allowing for a 36-foot roadway and two sidewalks. As considerable settling of the embankments is to be expected, and as the approaches will become parts of future streets, it is proposed at present to finish them only with a gravel roadway provided with gutters, and to provide two plank sidewalks with railings on either side.

The following is the estimated cost of a bridge and approaches at the foot of First street designed upon the general plans above outlined:

Estimate of the cost of a bridge across the Anacostia River at the foot of First street west, including approaches.

[Substructure of masonry, piers resting on pile foundations at bed of proposed channel 16 to 24 feet below low tide.

Superstructure of steel trusses, four fixed spans of 205 feet each and one swing span of 380 feet, providing two clear openings of 150 feet each. Roadway 32 feet wide in the clear, providing two tracks for a street railway and two trackways for ordinary vehicles; two sidewalks, each 6 feet wide. Floor of corrugated iron, with asphalt pavement.]

North approach	$11,800
North abutment	8,400
North trestle (over Water street)	11,700
Pier No. 1 (at bulkhead line)	20,300
Span No. 1	39,000
Pier No. 2	43,600
Span No. 2	39,000
Pier No. 3	42,300
Swing span (Span No. 3)	127,000
Pivot pier (Pier No. 4)	50,700
Pile protection for swing span	10,000
Pier No. 5	43,300
Span No. 4	39,000
Pier No. 6	43,400
Span No. 5	39,000
Pier No. 7 (at bulkhead line)	25,200
South trestle	13,700
South abutment	11,400
South approach	89,500
Contingencies 10 per cent	70,830
Total	779,130

RECOMMENDATIONS.

The act of Congress calls for such recommendations as the Secretary of War may deem proper.

The site of the bridge estimated for has been selected on the grounds stated, so that in case Congress should decide on having the bridge built it would subserve the best interests both of the public and the

United States, but it is my opinion that no such bridge should ever be permitted to be built. There is no drawbridge between any navy-yard and the sea in the United States, and none ought ever to be allowed, particularly at the Capital of the country. The Washington Navy-Yard and its important proving grounds at Indian Head should always have a clear and unobstructed channel of communication between them. In fact no drawbridge ought ever to be permitted over rivers connecting important inland commercial cities with the sea which can be reached by deep-sea vessels.

The Board of Engineer Officers convened to report upon the bridging of the Willamette River, at Portland, Oreg., collected information so pertinent to this subject that I quote it in full from their report of June 13, 1892:

As a matter of interest bearing upon this subject the Board has investigated, to a limited extent, the practice with regard to bridging their harbors and the rivers which connect them with the sea of the principal inland commercial cities of the world reached by deep-sea vessels. Practically in every instance it was found that bridges are not permitted below the point where deep-sea ships go. In no instance has the Board been able to learn of any great seaport favorably considering the bridging by low bridges of its harbor or connections with the sea.

The following instances coming under this head are mentioned:

London, the metropolis of the world, is situated on the Thames River, 60 miles from the sea. In the stretch of river, nearly 7 miles long, comprising the shipping district, and with enormous interests of all kinds on both sides of the river, there is no bridge below the absolute head of deep-water navigation at the London Bridge. A new bridge is being built at the Tower of London, a quarter of a mile below the London Bridge. This, when completed, will have a clear opening of 200 feet for the passage of vessels, and is required to be kept open except for a very short time during the day. All crossings in the 7 miles of city below the London Bridge are made by ferries and by tunnels under the river.

The great port of Liverpool, on the Mersey, has allowed no bridge to be built across the lower navigable portion of the river. Between Liverpool, with a population of over 500,000, and Birkenhead, on the opposite side of the river, with a population of 100,000, communication has until recently been kept up entirely by means of ferries or by a very circuitous railway journey. Recently there has been constructed a tunnel under the Mersey for the accommodation of railroad and local traffic. This was built at a cost of nearly $4,000,000, whereas a bridge could have been constructed for a very small part of this sum

The river Clyde, upon which is situated the great commercial city of Glasgow, with a population of over 500.000, has no bridge across it from its mouth for a distance of 21 miles, the entire portion used by shipping. The first bridge is a stone arch bridge at the absolute head of navigation.

The river Tyne, upon which is situated Newcastle, has no low bridge until a point above the city is reached, a distance of fully 12 miles from the mouth. A high-level bridge crosses the Tyne below the city, but in consequence of its height is no obstruction to navigation.

The river Tees is crossed by no bridge below Newport and Middlesborough.

The river Dee is crossed by no bridge at or below Chester.

The city of Bristol, the third commercial city of England, has connection with the sea by the Severn and Avon rivers. Neither of these rivers is crossed by a bridge until a point above that to which ships can go is reached. Until recently, steam ferries across the Severn gave Bristol her only communication with the railways to the north.

To furnish better communication without obstructing navigation, there has recently been built a tunnel under the Severn. This tunnel, with its inclines for railroad traffic, is over 4 miles long.

At Belfast, the chief manufacturing and commercial city of Ireland, the bridges across the river Lagan are confined to the upper part of the city. None are permitted in the portion of the river in the vicinity of the docks, quays, and basins reached by deep-sea ships.

The same is true of the city of Dublin, situated on the river Liffey.

Hamburg, the first commercial city of the Continent of Europe, is situated upon the Elbe, about 93 miles from its mouth. Upward of 5,000 deep-sea vessels enter and depart from this city annually. The city proper lies on one side of the Elbe, and on the other side are the two cities of Altona and Ottensen, the three presenting to the river a continuous frontage of over 4 miles. Throughout this entire distance there is no bridge to obstruct or incommode navigation. All crossing is by means of ferries.

The great commercial city of Rotterdam has guarded its navigation interests to an extent that there is no bridge across the river Maas, from about the middle of the city to its mouth, a distance of 21 miles.

The river Scheldt, from its mouth to Antwerp, a distance of 60 miles, is not crossed by a bridge at the city or below it.

The great city of Amsterdam, on the river Y, has never permitted its navigation interests to be interfered with by the erection of bridges across the river.

The river Adour up to the city of Bayonne is uncrossed by any bridge.

The river Seine is not crossed by a bridge at Havre, or for 40 miles up the river.

Bordeaux, on the Garonne, is one of the chief commercial cities of France. It is about 60 miles from the sea. In this whole distance no bridge crosses the river or estuary. In the upper portion of the city is a stone arch bridge, forming a complete bar to ocean ships. No bridge is permitted below this, all railroad and other crossings being above.

Calcutta, the capital of India and commercial capital of the continent of Asia, is situated on the Hugli River, about 80 miles from the sea. It is reached by the largest ocean ships. The commerce of this great city is not permitted to be interfered with to the slightest extent by bridges.

No bridges cross the St. Lawrence, below the point at Montreal, reached by deep-sea vessels. Bridges are not permitted to interfere with the harbor or commerce of Montreal, which is nearly 1,000 miles from the sea.

In our own country no bridge, except the high bridge passing entirely above the shipping, has been permitted or would be for a moment considered across the waters of New York Harbor. Not even a pier for a bridge is allowed outside the established harbor lines.

There is no bridge over the Delaware at or below Philadelphia.

There is no bridge across the Mississippi below New Orleans, 107 miles from the mouth of the river. A recent proposition to bridge the river below New Orleans has called forth a storm of indignant protests.

The Long Bridge, across the Potomac at Washington, has been considered a great detriment to the commerce of Georgetown, and strenuous objections have always been made to another drawbridge above it.

In some of our lake cities there are bridges over the small rivers flowing through them, and much of the shipping is done at docks above these bridges. This is particularly the case at Chicago. During the early development of the commerce of this city the lake vessels were by force of circumstances compelled to do their business along the Chicago River. The lake front was not at that time available for dockage. The city rapidly enveloped the river, extending its streets in all directions across it and establishing communication by means of tunnels and bridges.

The situation has now become so grave in respect to the two conflicting interests that shipping is being gradually withdrawn from the river and provided with facilities in other locations at the lower end of Lake Michigan, and it is seriously contemplated to close the river entirely by making all bridges permanent without draws or arching the river over its entire length.

Very respectfully, your obedient servant,

CHAS. E. L. B. DAVIS,
Major, Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

APPENDIX.

RECORD OF BORINGS MADE ON TRIAL LINES FOR BRIDGE ACROSS ANACOSTIA RIVER, DISTRICT OF COLUMBIA.

SOUTH CAPITOL STREET LINE.

(1) LOCALITY: SOUTH CAPITOL STREET LINE AT RIGHT BULKHEAD LINE, MADE NOVEMBER 4 TO 6, 1895.

Depth below low water to Feet.	*Material.*
0.9	River mud.
42.4	Sand.
55.4	Sand and gravel.
59.1	Gravel.
62.0	Blue clay.
62.9	Green sand, hard.
66.5	Sand and gravel, hard.
69.5	**Lowest point, in sand and gravel.**

(2) LOCALITY: SOUTH CAPITOL STREET LINE AT CENTER OF PROPOSED CHANNEL, MADE NOVEMBER 2 TO 4, 1895.

Depth below low water	to	*Material.*
Feet.		
8.3		River mud.
42.2		Soft clay.
45.9		Stiff red clay.
56.7		Stiff blue clay.
61.2		Red clay.
63.4		Lowest point, in red clay.

The pipe probably passed through a thin layer of sand without it being detected.

(3) LOCALITY: SOUTH CAPITOL STREET LINE AT LEFT BULKHEAD LINE, MADE OCTOBER 31 TO NOVEMBER 1, 1895.

Depth below low water	to	*Material.*
Feet.		
3.3		River mud.
22.6		Gravel, hard.
25.1		Stiff mud.
29.0		Soft clay and sand.
37.5		Coarse, loose, yellow sand.
39.8		Yellow clay.
40.5		Hard sand and gravel.
48.6		Clay.
52.8		Lowest point, compact green sand.

ONE-HALF STREET LINE.

(4) LOCALITY: ONE-HALF STREET LINE AT RIGHT BULKHEAD LINE, MADE NOVEMBER 7 TO 8, 1895.

Depth below low water	to	*Material.*
Feet.		
1.0		River mud.
51.1		Sand.
52.0		Sand and gravel.
54.0		Coarse gravel.
58.5		Red clay.
66.4		Blue clay.
70.1		Compact green sand.
73.0		Lowest point, in green sand.

(5) LOCALITY: ONE-HALF STREET LINE AT CENTER OF PROPOSED CHANNEL, MADE OCTOBER 25, 1895.

Depth below low water	to	*Material.*
Feet.		
20.3		River bottom, mud.
46.0		Mud and clay.
50.6		Sand and gravel.
55.4		Clay.
58.0		Fine green and white sand.
62.5		Tough yellow clay.
65.9		Lowest point, in clay.

(6) LOCALITY: ONE-HALF STREET LINE AT LEFT BULKHEAD LINE, MADE OCTOBER 28 TO 30, 1895.

Depth below low water	to	*Material.*
Feet.		
3.8		River mud.
25.0		Sand and gravel, with wood.
31.0		Loose sand.
39.1		Hard sand and gravel.
40.5		Quicksand and clay.
44.0		Yellow sand.
59.8		Hard sharp blue sand.
62.8		Sand and clay.
67.4		Compact green sand.
86.0		Lowest point, in compact sand.

FIRST STREET LINE.

(7) LOCALITY: FIRST STREET LINE, NEAR RIGHT BULKHEAD LINE, MADE NOVEMBER 8 TO 12, 1895.

Depth below low water	to	*Material.*
Feet.		
— 0.2		Mud and gravel.
6.0		Clay and gravel.
12.3		Coarse red sand and gravel.
25.0		Fine loose sand.
36.0		Stiff mud.
40.2		Loose sharp sand and gravel.
46.1		Firm tough clay.
73.5		Clay and green sand.
80.9		Loose green sand.
84.0		Lowest point, in green sand.

(8) LOCALITY: FIRST STREET LINE, 234 FEET FROM RIGHT BULKHEAD LINE, MADE OCTOBER 23 TO 24, 1895.

Depth below low water	to	*Material.*
Feet.		
1.0		River bed, mud, clay, and gravel.
5.7		Coarse red sand and gravel, very hard.
19.6		Tough red clay, with some gravel.
27.3		Lowest point reached, in clay.

Abandoned because pipe was bent.

(9) LOCALITY: FIRST STREET LINE AT 400 FEET FROM RIGHT BULKHEAD LINE, MADE OCTOBER 22, 1895.

Depth below low water	to	*Material.*
Feet.		
10.8		River bed, gravel, with sharp sand.
14.9		Coarse sand and gravel.
17.0		Clay with some sand and gravel.
23.0		Tough red clay.
37.7		Lowest point, in clay.

(10) LOCALITY: FIRST STREET LINE AT CENTER OF PROPOSED CHANNEL, MADE OCTOBER 19 TO 21, 1895.

Depth below low water	to	*Material.*
Feet.		
14.0		River mud.
50.9		Hard sand and gravel.
54.7		Tough clay.
61.1		Lowest point, in hard clay.

(11) LOCALITY: FIRST STREET LINE AT 800 FEET FROM RIGHT BULKHEAD LINE, MADE OCTOBER 17 TO 18, 1895.

Depth below low water	to	*Material.*
Feet.		
3.4		River mud.
48.6		Coarse gravel with clean sharp sand.
61.0		Lowest point reached, clay and sand.

(12) LOCALITY: FIRST STREET LINE 1,000 FEET FROM RIGHT BULKHEAD LINE, MADE OCTOBER 14 TO 16, 1895.

Depth below low water	to	*Material.*
Feet.		
2.3		Soft river mud.
47.0		Hard sand.
49.3		Fine sand.
51.1		Coarse sharp sand and gravel.
52.6		Mud and fine sand.
64.8		Clay, with sand and gravel, hard.
74.0		Fine green and white sand.
78.0		Lowest point, in fine sand.

(13) LOCALITY: FIRST STREET LINE AT LEFT BULKHEAD LINE, MADE OCTOBER 10 TO 12, 1895.

Depth below low water	to	*Material.*
Feet.		
1.3		Soft river mud.
49.2		Coarse sand and gravel.
51.2		Mud and sand.
76.1		Stiff clay.
93.8		Fine green and white sand.
97.0		Lowest point, in fine sand.

Record of test piles driven during survey for a bridge across Anacostia River, District of Columbia, near foot of South Capitol street, 1895.

[Weight of hammer used, 2,000 pounds; fall of hammer, generally, 10 feet.]

Number of pile.	Bridge line on which pile was situated.	Distance of pile from right bulkhead line.	Date when driven.	Depth of water at low tide.	Length of pile.	Diameter at small end.	Diameter at large end.	Kind of material at surface of river bed.	Penetration from weight of pile.	Penetration from weight of hammer.	Total number of blows.	Penetration in bottom.	Total penetration below low water.	Depth to hard stratum below low water.	Penetration in last 10 blows.	Final refusal under a blow of 2,000 pounds with 10-foot fall.	Remarks.
		Feet.	1895.	*Feet.*	*Feet.*	*Inches.*	*Inches.*		*Feet.*	*Feet.*		*Feet.*	*Feet.*	*Feet.*	*Inches.*	*Inches.*	
1	South Capitol street line.	200	Sept. 27	5.6	51.5	8¼	12½	Mud.....	9	9	55	43.4	49	47.5	10¾	1.07	
2	.....do	400	...do	20	70	8	18	....do	18	1	94	33.1	53.1	47.3	10	1	Broomed and showed imprints of gravel.
3	.....do	600	Oct. 1	8.2	54	7	12½	....do	8	*a* 12	70	45.8	54	51.3	9¼	.92	
4	.....do	800	Oct. 2	.7	54	7	12½	....do	11	10	110	51.5	52.2	45	9	.90	
5	.....do	1,000	Oct. 3	2.4	54	7	12½	....do	12	7	121	48	50.4	43.7	8¾	.87	
6	One-half street line.	200	Oct. 4	.6	60	8	14½	....do	15	9	80	50.6	51.2	50	7¼	.72	
8	.....do	600	Oct. 5	20.5	66	9	18	....do	12	5.4	60	33.6	54.1	51	8¾	.87	Broomed and pieces of gravel found in end.
7	.....do	1,000	...do	5.6	60	8	14½	....do	13	7	132	46.3	51.9	47.7	10½	1.05	
9	First street line.	200	Oct. 7	.7	34	9	12	Hard sand and gravel.	.....	.5	67	5.6	6.3	2	2¾	.27	In gravel at Buzzard Point.
10	.....do	600	Oct. 8	12	63.7	9½	18	Mud.....	16	.2	94	40	52	50.7	5½	.55	Broomed and indented by gravel.
11	.....do	1,000	...do....	3	53	6	12	....do	13	7	42	49	52	.....	30	3	Refusal insufficient.
12	.....do	1,000	Oct. 9	2.6	60	9½	18	....do	*a* 20	.2	155	52	54.6	50.5	9½	.95	Foot of pile slid out. Pile inclined about $\frac{1}{10}$. This may have affected refusal.
13	.....do	1,200	Nov. 13	2	60	9½	14	....do	10	*b* 10	86	53.1	55.1	.....	21	2.10	See boring at this point.

a Churned down.

b Pulled down.

POTOMAC RIVER IMPROVEMENT

WASHINGTON BARRACKS

James Creek canal

GEORGIA AVE.

SOUTH CAPITOL ST.

U ST.

T ST.

S ST.

R ST.

Bulkhead Line

Wharf Line

Buzzard Point

4½ Street Line

PROPOSED BRIDGE

Bulkhead line

Wharf Line

4½ Street Line

Poplar Point

HOWARD AVE.

SUMNER AVE.

OWENS AVE.

Giesboro Point

SOUTH APPROACH — LINE OF SOUTH CAPITOL STREET EXTENDED.

Baltimore & Ohio Rail Road

GOVERNMENT HOSPITAL FOR THE INSANE

PROPOSED BRIDGE
ACROSS
ANACOSTIA RIVER, D. C.

GENERAL MAP

December, 1895.

Scale.

To accompany Report of January 14, 1896.

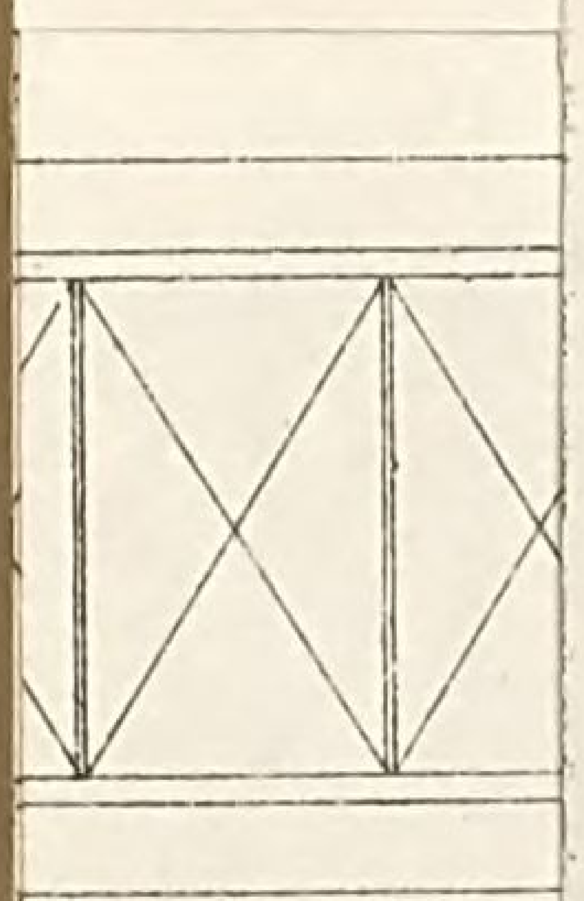
Chas. E. Davis,
Major, Corps of Engineers.

H Doc 63 54 1

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3



WASHINGTON

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 164.

SCHOONER HENRY CROSBY.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Copies of all correspondence of record in the Department of State in relation to the schooner Henry Crosby, fired upon while at Azua, Santo Domingo, December 10, 1893.

JANUARY 22, 1896.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

I transmit herewith, in compliance with the resolution of the House of Representatives of December 28, 1895, a report from the Secretary of State, with copies of all the correspondence of record in the Department of State in relation to the schooner *Henry Crosby*, fired upon while at anchor at Azua, Santo Domingo, December 10, 1893.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 22, 1896.

The PRESIDENT:

The Secretary of State, to whom was referred a resolution passed by the House of Representatives on the 28th ultimo, reading as follows:

Whereas the schooner *Henry Crosby*, a vessel duly enrolled under the laws of the United States, and commanded by Abel F. Stubbs, a citizen thereof, is alleged to have been fired upon by troops of the Republic of Santo Domingo while at anchor flying the American flag at Azua in said Republic of Santo Domingo, on the 10th day of December, 1893, and members of its crew shot and seriously wounded, and property belonging to the vessel destroyed; and

Whereas the owners, officers, and crew of said vessel have petitioned the Department of State for indemnity for such injury and loss: Therefore,

Resolved, That the President be requested to communicate to the House of Representatives, if not, in his opinion, incompatible with the public interests, the diplomatic and consular correspondence and the correspondence between the Government of the United States and the owners, officers, or crew, their agents or attorneys, and all other reports or correspondence relating to said attack and claim demanded.

has the honor to lay before the President copies of all the correspondence of record in the Department of State in relation to the subject of said resolution.

Respectfully submitted.

RICHARD OLNEY.

DEPARTMENT OF STATE,
Washington, January 21, 1896.

Mr. Smythe to Mr. Gresham.

[Telegram.]

LEGATION OF THE UNITED STATES TO SANTO DOMINGO,
Port au Prince, December 15, 1893.

Commandant killed at Azua, Santo Domingo. Bold attempt to assassinate Heureaux. Meade* cables American schooner attacked; two sailors wounded at Azua. Have cabled instructions.

SMYTHE.

Mr. Smythe to Mr. Gresham.

LEGATION OF THE UNITED STATES,
Port au Prince, December 18, 1893. (Received December 29.)

SIR: I cabled you on the 15th that a bold attempt at revolution had been made in Santo Domingo, that the general commanding at Azua, a town 72 miles from the capital, had been killed, and that an attempt had been made to assassinate President Heureaux. After receiving this news through the secretary of state for Haiti, I received a telegram from our consul at Santo Domingo, and embraced its contents in my message to the effect that "an American schooner had been fired upon at Azua and two seamen wounded." The dispatch added that "this was done by Dominican soldiers." It has occurred to me that perhaps the schooner carried the insurgents to Azua (where the insurrection broke out), and I cabled to Meade to "obtain facts and report." Up to to-night we have no further advices, though I will be in possession soon of all that shall be cabled to the foreign office here. I think it possible that the attempted revolution has been quelled by Heureaux, but if not, we should have a naval vessel in these waters at once. Will give you all particulars.

I am, etc., HENRY M. SMYTHE.

Mr. Smythe to Mr. Gresham.

LEGATION OF THE UNITED STATES,
Port au Prince, Haiti, January 12, 1894.
(Received January 24.)

SIR: I have the honor to report the arrival of the U. S. S. *Kearsarge* at this port yesterday evening. To-day Admiral Stanton (who arrived

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* Consul at Santo Domingo City.

almost at the same time on the Atlas steamer), together with Commander Hyerman and a subaltern officer, made an official visit to the legation. The officers, crew, and marines of the vessel are in perfect health, and the captain reports all quiet in Santo Domingo. As well as I can determine, the American schooner fired upon at Azua had entered a closed port, 6 miles from the port of Azua, and the firing occurred under the stimulus of the excitement incident to a very small attempt at revolution. Ample apology was made, but in the absence of any information from Consul Meade, I am not prepared to make any direct conclusion as to the matter. I presume, since I can hear nothing from the consul, that I will have to rely on the Department for information and instruction.

I have, etc.,

HENRY M. SMYTHE.

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*Mr. Smythe to Mr. Gresham.**

No. 6.] LEGATION OF THE UNITED STATES,
Port au Prince, Haiti, January 22, 1894.
(Received January 29.)

SIR: I inclose herewith the testimony forwarded to me by Consul Meade, relating to the incident at Azua. This shows the affair practically as reported to me by the commander of the *Kearsarge*, and is the only official intelligence I have received except the brief dispatch which I forwarded to you.

It seems right to consider, first, that the vessel was anchored at a closed port; second, that the whole countryside was in arms trying to apprehend or prevent the escape of the parties who had assassinated the governor of the province; and, third, that the mate, instead of proceeding boldly to the shore and making inquiries as soon as he saw a few men with arms in their hands turned the bow of his boat to the vessel and retreated, thus confirming the suspicions of the ignorant soldiery in the belief that the vessel was either concerned in the uprising or was there (in a closed port) to carry away the assassins of the governor.

I have unofficial information that the mate is well, and the seaman, Smith (who, it seems, is a Swede), is recovering rapidly.

I have, etc.,

HENRY M. SMYTHE.

P. S.—I have just learned that it will be impossible to copy the evidence, etc., for this mail, and hence I send this dispatch to give the Department an idea of the situation. My opinion is that no discourtesy was intended to our flag, but think a reasonable indemnity should be demanded for the wounded sailors, unless the circumstances debar them from remuneration.

The papers will follow in next mail, and can then be connected with this dispatch.

Very truly, your friend and servant,

HENRY M. SMYTHE.

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* Printed in Foreign Relations, 1894, p. 207.

[Inclosure 1 in No. 6.]

Mr. Meade to Mr. Smythe.

UNITED STATES CONSULATE,
Santo Domingo, December 30, 1893.

SIR: I inclose you herewith copies of the depositions of the master, mate, and sailor (with accompanying medical certificate) of the American schooner *Henry Crosby*, who were connected in the recent shooting affair at Azua, and an account of which has been telegraphed you as received from Consular Agent Hardy at that port.

I have, etc.,

[L. S.] JOHN R. MEADE,
United States Consul, Santo Domingo.

[Inclosure 2 in No. 6.]

Mr. Hardy to Mr. Meade.

No. 71. UNITED STATES CONSULAR AGENCY,
Azua, December 26, 1893.

SIR: Your dispatch No. 2, dated December 16, received and contents noted.

According to instructions I inclose copy of depositions made at this consular agency by A. F. Stubbs, master, William H. Brooks, first mate, and Charles Smith, seaman, all belonging to the American schooner *Henry Crosby*, now lying at this place, the originals of said depositions being entered and sworn to in the record books in this office. I also inclose certificate of medical attendant regarding nature of wound received by the above-named Charles Smith on the 10th day of December last.

You will observe that there is an unimportant addition to the captain's declaration. This was added at the request of the authorities here, who desired Captain Stubbs to sign a declaration drawn up by them which did not recognize the fact of the vessel's national flag being displayed. To avoid dispute I advised Captain Stubbs to send a copy of his declaration to the consular agency, which was done in the form inclosed. In explanation of the Dominican Government's wish that the master certify to the fact that he was anchored outside the limits of any port, I may mention that Azua and Baralrona are the only two ports in this section where foreign vessels are allowed to enter unless under special permit from the Government. Captain Stubbs was misled by the information he received in New York regarding the situation of Azua, and it is to be regretted that he did not provide himself with a United States hydrographic chart of 1886, or sailing directions from the same office, published in 1892, before leaving New York. The arrival of the *Henry Crosby* occurred while the country was in a state of unrest. The governor-general of the province and Bara Huna having been assassinated on the Sunday previous, the whole population was under arms to prevent the escape of the murderers, and by some error the authorities were advised that the vessel reported at anchor on the coast was from Bara Huna, hence the dispatch of an armed force to watch her motions. Of course a moment's consideration ought to have convinced the authorities that a vessel engaged in any illegal ——— would hardly anchor in the middle of the day and remain twenty-seven hours within rifle shot of the beach with her colors flying. In any case, the dispatch of an armed force in a boat from , as afterwards was done, would resolve any suspicions that existed.

The seaman Charles Smith is progressing favorably.

Trusting inclosures will be found satisfactory, etc.,

JOHN HARDY,
United States Consular Agent.

[Inclosure 3 in No. 6.]

Deposition of William H. Brooks.

UNITED STATES CONSULAR AGENCY,
Azua, December 22, 1893.

Be it known that on the 22d day of December, 1893, personally appeared before me, John Hardy, consular agent for the United States of America for the port of Azua, William H. Brooks, chief officer of the American schooner *Henry Crosby*, who maketh the following declaration and answers under oath:

That the said William H. Brooks is an American citizen with residence in Rockland, Me.; that he has been attached to the American schooner *Henry Crosby* upward of one year; that he left New York in the said schooner in the capacity of mate on 24th November last.

That on the 10th day of December, while the vessel was lying at anchor off what was supposed to be the port of Azua, at 11.30 a. m., he received an order from A. J. Stubbs, the master of the vessel, to take two seamen in the small boat to ascertain if the vessel was really in the port of Azua, with the additional order not to land. That in obeying these instructions the boat was taken within hailing distance of the shore, where two men were observed and the question asked, "Is this the port of Azua?" Understanding them to give an affirmative answer, and further alarmed by the sudden appearance of a large body of armed men, the order was given to pull back to the vessel; immediately the men on the beach opened fire on the boat, great numbers of bullets falling near to and passing through the planking of the boat, one of the latter striking him, the deponent, on the hip and for the moment disabling him.

That up to the time of the firing no intimation which he could understand had been given him, that he was desired to land, consequently he carried out the orders given by the master of the vessel, and seated with his back to the shore he was unable to see the soldiers making ready to fire, and with the first volley he became disabled. After a time, finding that one of his boat's crew was dangerously wounded and the other in hiding, by a great effort he took to the oars in the endeavor to get the boat out of range or on the other side of the vessel. In this he succeeded.

That he further declares that the schooner *Henry Crosby* held no other communication with the shore from the time of his leaving New York, and that during the time of the vessel lying at anchor off the Boca de Jura the national flag was displayed from sunrise to sunset, and that at the time of the firing the flag on the ship was plainly discernible.

To the above declaration the said William H. Brooks subscribes his name and maketh oath the day and date above written.

WM. H. BROOKS.

This declaration made and sworn to before me this 22d day of December, 1893.

JOHN HARDY,
United States Consular Agent.

UNITED STATES CONSULAR AGENCY,
Azua, December 26, 1893.

I, John Hardy, consular agent of the United States of America, do hereby certify that this is a true copy of the original on the record book of this agency.

Given under my hand and seal the day, month, and year mentioned.

JOHN HARDY,
United States Consular Agent.

[Inclosure 4 in No. 6.]

Deposition of Charles Smith.

UNITED STATES CONSULAR AGENCY,
Azua, December 23, 1893.

Be it known that on the 23d day of December, 1893, the following declaration was made and sworn to by Charles Smith, seaman, belonging to the American schooner *Henry Crosby*, of Bangor, Me., the said Charles Smith being confined to his bed on account of a wound received in the line of his duty as seaman on board the said vessel. Said Charles Smith makes declaration that he is a native of Sweden but has sailed in American vessels for upward of three years past.

He further declares that he sailed from New York in the above-mentioned vessel in the capacity of able seaman on the 24th day of November last; that nothing of importance occurred until the 10th day of December, the ship then lying at anchor off the coast of Santo Domingo. Shortly before noon of the above date the deponent was ordered to go into the boat, and accordingly pulled toward the shore, with Seaman Johnson pulling and the chief officer, Mr. Brooks, steering. When within hailing distance of the shore, the mate turned the boat's bow toward the vessel and then the mate ordered us to stop rowing. The mate then asked some man on shore—speaking in English, "If this was the port of Azua?" Whatever answer was given was not understood by me.

During this conversation I noticed a number of men issuing from the bush, armed with rifles and big knives, and called the mate's attention to it. The mate then gave

the order to give way on the oars. Almost at the same moment the men on shore commenced firing, the balls dropping in and around boat in great quantity. Very soon afterwards I saw the mate fall from his seat, face forward, to the bottom of the boat, Johnson having stopped his oar and hid in the bottom of the boat. I seized the two oars and endeavored to pull on board, but very soon receiving a bullet in the front of the thigh, which passed through and left my body at the posterior, and, getting faint from pain and loss of blood, I, too, abandoned the oars and later was hoisted on board and my injuries temporarily dressed by the captain.

Charles Smith further maketh declaration that the ship held no communication with the shore of Santo Domingo than as above stated, and that during the time of the firing on the boat the flag of the vessel was plainly discernible.

To all of which the said Charles Smith declares on oath that the statement is true.

CHARLES SMITH.

This declaration made and sworn to before me on the 23d day of December, 1893.

JOHN HARDY,
United States Consular Agent.

UNITED STATES CONSULAR AGENCY,
Azua, December 26, 1893.

I, John Hardy, consular agent of the United States of America at Azua, do hereby certify that this is a true copy of the original on the record book of this agency.

Given under my hand and seal the day and date ad supra.

JOHN HARDY,
United States Consular Agent.

[Inclosure 5 in No. 6.]

Deposition of Capt. A. F. Stubbs.

UNITED STATES CONSULAR AGENCY,
Azua, December 22, 1893.

Be it known that on the 22d day of December, 1893, personally appeared before me, John Hardy, consular agent of the United States of America at the port of Azua, A. F. Stubbs, master of American schooner *Henry Crosby*, who makes the following declaration and answer under oath:

That the said A. F. Stubbs is a citizen of the United States, with residence in Brooklyn, N. Y.; that as master of schooner *Henry Crosby* he sailed from the port of New York, bound for the port of Azua, and that nothing of importance occurred until the morning of the 9th day of December, when the vessel was off Salina Point. Acting under the best information he could obtain before leaving New York, and also consulting the chart used by him on board, he was led to believe that Azua was about 15 miles distant in a northwest direction; with the sea breeze a corresponding course was steered until he supposed himself opposite the inland town of Azua, when the anchor was dropped at 1.30 p. m., in 6 fathoms of water, and the colors kept flying in expectation of a visit from custom-house authorities, the tend of the shore showing an indentation of a small port; that the colors were kept flying during daylight of the 9th and hoisted at sunrise Sunday, the 10th; that at 11.30 a. m. of the 10th, no communication having been received from the shore, and observing two or three men on the beach, he ordered William H. Brooks, first mate of the vessel, to take the small boat with two seamen and approach near enough and hail if it was the port of Azua or not, but on no account to land.

Watching the mate, he saw him get near to the beach and turn the bow of his boat seaward. After apparently changing speech with the men on shore, the men in the boat commenced to pull toward the ship. That during the time of the mate's speaking with the men on shore he was surprised to see a great number of armed men issue from the woods, probably thirty or forty, and the moment the boat commenced to move toward the ship they opened fire on the boat, the result being that the mate, William H. Brooks, having been struck on the hip by a ball which had probably passed through the woodwork of the boat and thus lost a great part of its force, fell from his seat. His injury proved to be a large contusion. The man pulling the after oar hid himself in the bottom of the boat, and Charles Smith, seaman, the bow oar, was shot so severely that he fell from his seat. The crew of the boat being apparently totally disabled the troops on shore opened fire on the ship, the rifle balls passing through the rigging and some few landing on deck, so that it became necessary to order the rest of the crew below for safety.

The said A. F. Stubbs further declares that during his voyage he held no communication with the shore and was engaged in peaceful and lawful occupation. To all which he affirms under oath the day and date above mentioned.

A. F. STUBBS,
Master of American Schooner Henry Crosby.

This declaration was made and sworn to before me the 22d day of December, 1893.

JOHN HARDY,
United States Consular Agent.

ADDITION.

As the clause concerning the anchorage of the schooner *Henry Crosby* is deemed not sufficiently clear, it is acknowledged that through bad information and unacquaintance, the vessel was anchored in a part of the coast not recognized as a port of entry and uninhabitable.

A. F. STUBBS.

I certify to the above signature.

JOHN HARDY,
United States Consular Agent.

UNITED STATES CONSULAR AGENCY,
Azua, December 26, 1895.

I, John Hardy, consular agent of the United States of America at Azua, certify that this is a true copy of the original on the record books of this agency.

Given under my hand and seal the day, month, and year above written.

JOHN HARDY,
United States Consular Agent.

Mr. Herbert to Mr. Gresham.

NAVY DEPARTMENT,
Washington, January 25, 1894.

SIR: I have the honor to transmit herewith for your information copy of a communication received from the commanding officer of the U. S. S. *Kearsarge*, dated January 2, 1894, relative to the recent outbreak at Azua, Santo Domingo.

The report mentioned in paragraph 10 of this inclosure has not been received.

Very respectfully, etc.,

H. A. HERBERT.

[Inclosure.]

Commander Heyerman to Mr. Herbert.

U. S. S. KEARSARGE, THIRD RATE,
Azua Bay, Santo Domingo, January 2, 1894.

SIR: In obedience to the Department's orders of December 20, 1893, after careful investigation I have the honor to make the following report of the recent outbreak at Azua, Santo Domingo, and of the firing on a boat of the American schooner *Henry Crosby* by Government soldiers, and the wounding of two men of that schooner:

1. On December 3, 1893, Gen. G. Campo, governor of Azua, was assassinated by revolutionists. Measures were taken to prevent the escape of the assassins from the country, and strict orders were given to watch every vessel that touched on the coast.

2. On December 9, 1893, the American schooner *Henry Crosby*, of Bangor, Me., A. F. Stubbs, master, from New York, for the port of Azua, loaded with machinery and railway material, consigned to Mr. John Hardy, United States consular agent at Azua, anchored at Puerto Viejo, which is not a port of entry. The schooner hoisted American colors and signaled for a pilot. No customs officials visited the schooner, and the captain was undecided if he were at the seaport of Azua. On the morning of December 10, the mate, W. H. Brooks, and two seamen were sent in a boat to inquire if that was the port of Azua. The mate was ordered not to land, and the schooner had American colors flying.

When near the shore the mate stopped the boat and asked two soldiers on shore, in English, if that were the port of Azua. The reply was in Spanish and not understood, but was supposed to be in the affirmative. At this moment a number of soldiers, about 25, came out from behind bushes. The mate became alarmed and began to return to the schooner. The soldiers opened fire on the schooner's boat The mate was struck and fell in the bottom of the boat. The bullet grazed him and stunned him, but he soon recovered. Charles Smith, seaman, was hit in the thigh and severely wounded. The third man in the boat dropped out of sight. The soldiers then began firing on the schooner and several shots hit her.

3. Mr. John Hardy, consignee of the schooner, heard of the shooting and sent a boat to see if it were the schooner he expected. Upon learning that it was he at once reported to the governor of Azua, Gen. Luis Pelletier, that soldiers had fired on an American schooner while she had American colors flying. The schooner came to Azua Bay and her unloading was not delayed. The wounded seaman, Charles Smith, was taken to Azua and given medical attendance; he is improving and will probably entirely recover.

Depositions setting forth the above facts are on file at the consular agency at Azua, and are signed by A. F. Stubbs, master; William H. Brooks, mate; and Charles Smith, seaman; and copies have been forwarded to the American minister.

The master of the schooner had made every effort to find the location of the port of Azua before leaving New York, as it is not charted. The schooner made no ports between New York and Puerto Viejo.

4. President Heureaux has ordered the governor of Azua to watch strange vessels to prevent the assassins of Governor Campo from leaving the country and the landing of arms and ammunition for use by revolutionists. It was for this purpose that the soldiers were sent to Puerto Viejo when the *Henry Crosby* was sighted. The firing on the boat was done without any investigation whatever to ascertain the character of the schooner.

5. By order of President Heureaux, Gen. G. Marchena and eight others, supposed to be leading revolutionists, were shot at Azua on December 21, 1893.

6. I sent an officer to Azua to call on the governor, and I was informed that the governor would call on me to-day, which he did. During the interview Governor Pelletier stated that he deeply regretted that the American vessel had been fired upon, and attributed it to the ignorance of the officer in charge of the detachment sent to Puerto Viejo. The governor expressed the kindliest feelings for Americans, and assured me he gave no orders to fire on an American vessel. During his visit he was received with honors due his rank.

7. The condition of affairs in the Republic of Santo Domingo are at the present time most quiet. The recent shooting of General Marchena and others will tend to prevent outbreaks in the future.

8. I am informed by the American consular agent, Mr. John Hardy, that Americans are treated with consideration, and that American interests are perfectly safe in Santo Domingo, and I have every reason to believe that such are the facts.

9. I have given the details of the firing on the schooner, as I believe, in accordance with the facts, and any recommendation on my part I deem unnecessary.

10. I forward herewith an account of the recent outbreak furnished by a Government official of Azua, through the consular agent, Mr. Hardy, as giving the Government's side of the trouble.

11. On my return to Santo Domingo City I shall cable to the Department.

Very respectfully,

O. F. HEYERMAN, *Commodore Commanding.*

Captain Stubbs to Mr. Gresham.

[Telegram.]

NEW YORK, *March 10, 1894.*

Has there been any settlement or attempt to settle on the part of the Government of Santo Domingo for the injuries to schooner *Henry Crosby* and crew, at Azua, December 10? Please wire reply care Smith, Gregory & Winters, New York.

A. F. STUBBS,
Master Schooner Henry Crosby.

Mr. Gresham to Captain Stubbs.

[Telegram.]

DEPARTMENT OF STATE,
Washington, March 10, 1894.

A. F. STUBBS, *Master Schooner Henry Crosby:*
(Care of Smith, Gregory & Winters, New York City.)

No.

W. Q. GRESHAM.

Messrs. Goodrich, Deady & Goodrich to Mr. Gresham.

NEW YORK, *April 3, 1894.*

SIR: We have the honor to transmit herewith memorial, affidavits, etc., in the claim of Henry Lord and others, owners, master and crew of the schooner *Henry Crosby*, which was fired upon by soldiers of Santo Domingo in December, 1893.

We have a power of attorney to act for all the memorialists.

We beg to request immediate action for the redress of an insult to our flag, and of damages suffered by the memorialists.

Respectfully, yours,

GOODRICH, DEADY & GOODRICH.

[Inclosure.]

Memorial of Henry Lord et al.

NEW YORK, *April 3, 1894.*

Hon. WALTER Q. GRESHAM,
Secretary of State.

SIR: Your memorialists, namely, Henry Lord, and Edward and Isaiah K. Stetson, executors and trustees of the estate of George Stetson, deceased; Edward Stetson and Sarah J. Stetson, trustees of the estate of Isaiah Stetson, deceased; Edward Stetson and Isaiah K. Stetson, copartners as E. & I. K. Stetson; Edward B. Nealley, Delia E. Hinks, administratrix; Terence F. Cassidy, Henry Rollins, George Davenport, all of Bangor, Me.; George B. Hook, of Brewer, Me.; Abel F. Stubbs, of Brooklyn, N. Y.; Howard M. Baker and George D. Carver, copartners as Baker & Carver, and Henry Griswold, of New York City, are the owners of the schooner *Henry Crosby;* and your memorialist, Henry Lord, is the owner of a one-sixteenth part of said schooner, and is the managing owner thereof.

Your memorialist, Abel F. Stubbs, was the master of said schooner; your memorialist, W. H. Brooks, the first mate; Alexander Renney, the second mate; Julius Paul, steward, and George Derr, Charles Smith, A. E. Swenson, and John Janson, the seamen thereon.

All of your memorialists are citizens of the United States, except as stated in the annexed affidavits.

The said schooner *Henry Crosby* belongs to Brewer, Me. She was built there in the year 1884, and is 391 tons net register. She is valued at the sum of about $20,000.

On the 24th day of November, 1893, the schooner, with the foregoing crew on board, sailed from the port of New York with a cargo of railroad iron, lumber, bricks, a hoisting engine, and other cargo, from Messrs. Hugh Kelley & Co., consigned to John Hardy, at Azua, Santo Domingo. Neither the vessel nor any of the persons on board of her had ever been at the port of Azua before. The consignee of the cargo was the United States consular agent at the port of Azua. Before the schooner left the port of New York, Captain Stubbs made inquiries as to the location and character of the port of Azua, and was informed that the port bore northwest from Salinas Point. Accordingly, she was headed northwest, a flag for a pilot was set and kept flying, and at 1 o'clock on Saturday, the 9th of December, 1893, reached

a place which corresponded with the description of Azua. The place was subsequently ascertained to be Old Azua, and not the port of Azua to which the vessel was consigned.

The vessel came to anchor about 400 yards from the shore, and laid at anchor there until Sunday noon, but was not visited by the customs officers, a pilot, nor any of the authorities. On Sunday at noon, Captain Stubbs sent the yawl boat in command of the first mate, William H. Brooks, and two sailors, Charles Smith and John Janson, to make inquiries as to whether the place was the port of Azua. Captain Stubbs directed the mate not to attempt to land, but to make inquiries from any person that he saw on the beach. The boat went to a point about 200 feet off the beach and stopped.

The schooner at this time lay headed about south, her stern being to the shore. Captain Stubbs stood on the quarter deck with his glass, watching the movements of the yawl boat. The United States flag was flying at the mizzen topmast of the schooner, as it had been since coming to anchor the day before. There were on the beach at that time some ten or twelve soldiers, and no other persons, so far as could be discerned from the schooner or the yawl boat. The mate asked if the place was the port of Azua, and received the reply that it was. He thereupon turned his boat head off from shore and started to row back to the schooner. He had gotten perhaps 100 yards offshore, when from behind the bushes there came a large number of soldiers in uniform. They formed a file; there appeared to be an officer in command of them. They immediately fired upon the small boat, and continued to fire for some time, both at the small boat and at the schooner, until the small boat reached the schooner's side and the men got on board. The mate, Brooks, was wounded in the thigh and the seaman, Smith, was also wounded in the thigh. A very large number of shots was fired—at least several hundred. The officers and crew of the schooner were compelled to take refuge below decks.

Captain Stubbs took care of the wounded men, and afterwards obtained for them medical attendance when they reached Azua.

That same evening, Sunday, the 10th of December, a barge came alongside having on board a number of soldiers, and also a pilot sent by Captain Hardy, the consignee of the vessel. The soldiers remained on board until the vessel was moved the next day to Azua.

Captain Stubbs subsequently ascertained that the place where he first came to anchor was old Azua, and was not the port of Azua to which he was consigned. The port of Azua was about 10 miles away. At Azua the cargo was delivered.

William H. Brooks, the mate, was taken care of by Captain Stubbs on board of the vessel. His wound consisted of a flesh wound in the left thigh. The ball struck the exterior of the thigh a few inches below the hip bone, striking the hip bone and glancing off. A severe injury to the hip bone was produced by the shot. Brooks was partially incapacitated for work for some six weeks after the injury and suffered a good deal of pain. He was attended by Captain Stubbs, who dressed his wound and took care of him.

The sailor, Smith, was struck also in the left thigh, the ball entering the under side of the thigh and coming out below the pelvis. The wound was some 17 inches long.

After the yawl boat came alongside of the schooner it was hoisted on deck with Smith in it, and Smith was then lifted out and carried into the cabin. There Captain Stubbs attended to him as best he could until medical attendance could be obtained. Captain Stubbs dressed the wound, and if it had not been for his prompt attention to it Smith would have undoubtedly bled to death. Medical attendance could not be procured until Monday afternoon at 4 o'clock, some twenty-eight hours after he was wounded. At that time Captain Stubbs obtained a doctor from Azua, who came on board and attended Smith. Subsequently Smith was carried to the town of Azua on a litter, some 4 miles from the place were the vessel was at anchor, and he was kept there until taken to New York. Smith up to the present time has not been able to work, and there is a likelihood of there being a permanent injury. He was not brought home by the schooner, but was sent home by a steamer from Azua by the United States consular agent.

After the vessel had partly discharged her cargo, and while she was lying at anchor off the port of Azua, the captain of the port came on board and demanded of Captain Stubbs that he go at once to Azua, that the president wished to see him. Captain Stubbs at first declined to go, and demanded of the port captain his authority from the President directing him to appear. The port captain replied that he had no letter, but the President had sent him personally to bring Captain Stubbs to Azua. Finally Captain Stubbs agreed to go, and proceeded on horseback to Azua. He first went to the office of Captain Hardy, the United States consular agent, and had a conversation with Captain Hardy's clerk, who informed him that the President wished Captain Stubbs to go to the governor's office and there sign a paper.

Captain Stubbs went with the interpreter of the consular agent's office to the

office of the governor. When they reached the governor's office a paper written in Spanish was presented and Captain Stubbs was directed to sign it. Captain Stubbs twice declined, saying that he could not understand Spanish and was not willing to sign any paper written in that language. Upon his refusal the governor gave some order in Spanish, which was followed by a bugle signal, and immediately upon the giving of the signal soldiers to the number of 75 or 100 surrounded Captain Stubbs. Upon the appearance of the guard the interpreter said that he would go to the consular agent and bring him to the governor's office. He was considerably alarmed at what was happening. When the consular agent appeared, he asked Captain Stubbs what was the matter. Captain Stubbs replied that he was asked to sign a paper written in Spanish, and that he was not willing to do so. Captain Hardy thereupon went into the governor's room.

In the meanwhile the President had come and gone into the governor's room. He called Captain Hardy in there and Captain Hardy went in. Captain Stubbs overheard a conversation in Spanish, the words of which he did not know, but from the manner of both the participants in the conversation there seemed to be considerable dispute between them. The conversation was carried on in an angry tone. Captain Hardy, after the conversation with the President was over, upheld Captain Stubbs in his refusal to sign the paper unless it should be interpreted into English and Captain Stubbs given a chance to examine it. Captain Stubbs and Mr. Hardy thereupon left the governor's office without molestation.

On their return to the consular office what purported to be a translation of the paper was submitted to Captain Stubbs. It was an exoneration of the soldiers, the officers of the Government, and the Republic of Santo Domingo from all blame for the firing upon the vessel when at anchor off Azua. Captain Stubbs declined to sign it. Subsequently Captain Hardy was requested by the President to prepare a statement for Captain Stubbs to sign, stating that the vessel had come to anchor at Puerto Viejo by mistake for the port of Azua. That document Captain Stubbs signed.

By reason of the premises aforesaid the schooner was delayed at the port of Azua for two or three days. After she had taken in some forty tons of cargo she proceeded to the port of Macoris to take in sugar. When the schooner arrived there she was delayed for some twelve days by reason of her arriving later than the time at which she ought to have reported there, because of the arrival of the steamer which was loaded ahead of her, it being the custom of that port, as well as of other ports, to give steam vessels precedence over sailing vessels in loading or discharging.

George Hardy, the son of Captain Hardy, the consular agent at Azua, heard the soldiers who had fired upon the yawl boat boasting in Azua that they had killed three of the American sailors.

Annexed hereto are the affidavits in support of this memorial, and also a certificate of the physician at the marine hospital at New York, showing the condition of your memorialist, Smith, at the date of this memorial.

Your memorialists, by reason of the foregoing facts, have suffered indignities, insult, and some of them physical injury. The action of the soldiers of Santo Domingo was an outrage wholly without cause, and was an insult not only to the schooner and her crew, but to the flag. No blame of any sort is to be attached to your memorialists for the part they took in the affair, but the assault was entirely unprovoked and causeless.

Your memorialists, the owners of the vessel, were compelled to pay out various sums of money and suffer various items of loss, a statement of which is annexed hereto marked "Expenses incurred at Azua."

Wherefore your memorialists respectfully pray that damages may be asked through the Department of State from the Government of Santo Domingo. Damages to the owners of the vessel in the amount of $5,000, in addition to the amounts stated in the statement hereto annexed and entitled "Expenses incurred at Azua;" damages to your memorialists, Brooks and Smith, each in the sum of $15,000; damages to your memorialist, Johanson, in the sum of $5,000; damages to your memorialist, Stubbs, in the sum of $5,000; damages to each of your memorialists, Renney, Derr, Paul, and Swenson, in the sum of $1,000 each.

And your memorialists will ever pray.

HENRY LORD,
Managing Owner.
ABEL F. STUBBS.
WILLIAM H. BROOKS.
CHARLES SMITH.
GEORGE DERR.
JULIUS PAUL.
ALEC. E. SWENSON.
JOHAN JANSEN.

[Subinclosure 1.]

Deposition of William H. Brooks.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

William H. Brooks, being duly sworn, says:

I am an American citizen, having been born at Papenburg, Germany, and came to this country when I was 17 years of age, and went to reside in Brooklyn, N. Y., where I have lived ever since. I am now 27 years of age. I took out my naturalization papers in the city of Brooklyn in 1889 or 1890. I have followed the sea ever since I was 13 years of age.

I was first mate on the schooner *Henry Crosby* on her last voyage from New York to Azua, Santo Domingo. We had aboard a cargo of railroad iron, bricks, lumber, machinery for sugar mill, and one small hoisting engine, spikes, and bolts, and other railroad material, and some spars on deck. The vessel was chartered to Hugh Kelley & Co., who loaded the lumber for the voyage in question.

We left New York about the 24th day of November, 1893, having on board the master, first and second mates, four seamen, and a cook. We arrived off Ocoa Bay, which is on the southern side of Santo Domingo, on or about the 8th of December, 1893, and going up the bay, anchored off the River Via, on which Azua is situated, on the 9th of December, about 1 o'clock in the afternoon, shore time. Our anchorage was about one-fourth of a mile from the shore in about 5 or 6 fathoms of water. The United States flag was set at the mizzen topmast on the morning of the 9th, at daylight, and also an American jack at the fore. These continued to be flying until sundown, when they were taken in. The next morning at sunrise we set the American ensign at the mizzen top, and it remained there every day during daylight as long as we remained at anchor.

About half past 11 a. m. on Sunday, the 10th, the captain ordered the mate and two seamen, Charles Smith and John Johnson to take the yawl boat and go toward the shore, where men were seen, for the purpose of inquiring whether that was the port of Azua. The captain directed me to go near enough to the shore to talk with the men, but not to go ashore. We got into the boat, pulled toward the shore, saw the men, and got to within about 150 feet of the shore. There were on the beach two men; I asked these men if that was the port of Azua. As near as I could understand them, they said yes. I don't speak Spanish, but spoke to them in English. As soon as we got the answer that it was the port of Azua, we headed the boat for the schooner, and started to go toward her. I was sitting in the steering, my back being to the stern of the boat. Shortly after we started for the ship my men informed me that there were other men on the shore besides the two men; that 30 or 40 men came out of the bush and were getting ready to fire upon us, and a volley was fired at us. I and John Johnson laid down in the bottom of the boat, but the other man, Smith, continued to row. We had hardly laid down when the man that was rowing was struck with a shot and fell into the bottom of the boat; then I got up and took the oars and began to row. Almost immediately another bullet struck me on the left hip bone and glanced off, causing a wound. I continued to row, and got the wounded man aboard the ship. While I was rowing I saw all of the 30 or 40 men were shooting as rapidly as they could, and I heard the bullets whistling around me. This was while we were in a direct line between the men and the schooner, and many of the shots must have reached the schooner.

We remained at anchorage until the next morning at 8 o'clock. On Sunday night, however, a pilot came off in a boat with about fifteen soldiers, and came aboard the vessel and remained there all night. The next morning, Monday, about 4 o'clock, we got up our anchor under the instructions of the pilot and sailed to somewhere near a wharf, which is the landing wharf of the port of Azua, and we anchored about a quarter of a mile off that pier. We remained at that anchorage until about January 17, 1894, occupying that time in discharging our cargo by lighters to the wharf and in taking in a portion of our return cargo. Thence we went to Macoris, Santo Domingo, some 50 or 60 miles to the eastward of Ocoa Bay, where we took in the balance of our cargo, and sailed for New York, where we arrived on or about March 3, 1894.

After we arrived on board the schooner the captain dressed my wound, and after a while it healed; but it troubled me for some time, hindering me somewhat in my work aboard the vessel.

While I was lying in the bottom of the boat two or three bullets struck the boat, and one or some of them splintered the boat so that a lot of splinters and slivers of wood were driven into my left cheek, which were extracted by the captain after I

got aboard the ship. These splinters covered the whole of my left cheek down to my collar, and there must have been 30 or 40 of them.

WILLIAM H. BROOKS.

Sworn to before me this 19th day of March, 1894.
[SEAL.]

AVERY F. CUSHMAN,
Notary Public, Kings County.

(Certificate filed in New York County.)

[Subinclosure 2.]

Deposition of Charles Smith.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

Charles Smith, being duly sworn, says:

I was born in Sweden and came to this country when I was 19 years of age. I am now 22 years of age and have followed the sea since I was 16 years old. I live at No. 19 Columbia street, Brooklyn, when I am in port.

I have read the affidavits of William H. Brooks and Alexander Renney, and declare that the contents thereof are true.

I was one of the men who went in the yawl boat of the schooner *Crosby* toward the shore for the purpose of making inquiries of the men whom we saw ashore. I was rowing the boat and after we had made inquiries of the men whether that was the port of Azua and started to return to the ship, I saw a number of men, I should think 30 or 40 of them, some of them in uniform and some without uniforms, but all of them with guns and knives, come out of the bushes on the shore and prepare to fire at us, which I told Mr. Brooks, the mate. I continued to row as hard as I could, but had not got very far when I was struck with a ball on the upper part of my left leg at the side, the ball going into the flesh and coming out behind, making an ugly and painful wound 17 inches long. I fell to the bottom of the boat and remained there until the boat got alongside of the schooner, when the boat was hoisted out with me in it, and I was taken out and put on the deck, and subsequently taken to the second mate's room in the cabin, where I remained until the morning of the 12th of December, when I was taken on a stretcher and carried 4½ miles away to a private house at Azua, where I remained about fifty-eight days, when I was sent to New York on the steamer *State of Texas* by Mr. Hardy, the United States consualr agent.

While I was on the schooner my wound was attended to by Captain Stubbs, the master of the schooner, but I received no medical treatment until the afternoon of the 11th of December, when a doctor came and cared for me, and I also received medical treatment during the time that I remained ashore at Azua.

While I was on board of the steamer *State of Texas*, I had to dress my own wound and care for it with medicine that I received from the doctor at sea. I got no medical attendance until I arrived at New York, since which time I have been several times to Castle Garden, where my wound has been dressed by the doctor there.

My wound still troubles me. I am unable to work, and am suffering great pain with it.

CHARLES SMITH.

Sworn to before me this 20th day of March, 1894.
[SEAL.]

AVERY F. CUSHMAN,
Notary Public Kings County.

(Certificate filed in New York County.)

[Subinclosure 3.]

Deposition of Abel F. Stubbs.

UNITED STATES OF AMERICA, STATE OF NEW YORK,
City and County of New York, ss:

Abel F. Stubbs, being duly sworn, says: I was born at North Buckport, Me., where I reside in the summer time, although my residence is in the city of Brooklyn. I am 56 years of age. I have followed the sea since I was 12 years old. I am master of the schooner *Henry Crosby*, and have been such ever since she was built in 1884, and am the owner of three-sixteenths of her. The schooner is about 391 tons net. She was built in Brewer, Me., and is owned by the following persons, all of whom are American citizens, viz:

Abel F. Stubbs.....Six thirty-seconds.
(Of Brooklyn, N. Y.)
Henry Lord.....Two thirty-seconds.

George Stetson.....Four thirty-seconds.
Estate of Isaiah Stetson.....Four thirty-seconds.
Edward and Isaiah Stetson.....Four thirty-seconds.
Edwiard B. Nealley.....One sixty-fourth.
Del$_e$a E. Hinks (administratrix).....One sixty-fourth.
Ter nce F. Cassidy.....One thirty-second.
Henry Rollins.....Two thirty-seconds.
George Davenport.....One thirty-second.
(All of Bangor, Me.)
George B. Hook.....One thirty-second.
(Of Brewer, Me.)
Howard M. Baker and G. M. Carver.....Two thirty-seconds.
Henry Griswold.....Four thirty-seconds.
(Of New York.)

In November last the schooner was chartered to Hugh Kelley & Co., for a voyage from New York to Azua, Santo Domingo, with a cargo of merchandise as stated in the affidavit of William H. Brooks, hereto attached. She was chartered to return to New York with a cargo of general merchandise from other ports in Santo Domingo. I have heard read the affidavit of William H. Brooks, and the facts therein stated give a general history of what transpired on the voyage and at Santo Domingo.

I have read the memorial to which this is attached and state that the same is true.

ABEL F. STUBBS.

Sworn to before me this 19th day of March, 1894.
[SEAL.]

AVERY F. CUSHMAN,
Notary Public, Kings County.

(Certified in New York County.)

[Subinclosure 4.]

Deposition of Julius Paul.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

Julius Paul, being duly sworn, says: I was born in Germany and came to this country when I was 16 years of age. I am now 23 years of age. I have lived in Brooklyn and for a little while in Milwaukee. I was naturalized in the city of New York in 1893 and am an American citizen. I was cook on board of the schooner *Henry Crosby* on her last voyage, and I have heard read the affidavits of Mr. Brooks and Mr. Renney, and declare that the contents thereof are true.

JULIUS PAUL.

Sworn to before me this 12th day of March, 1894.

FRED. GIBLIN,
Notary Public, Kings County.

(Certificate filed in New York County.)

[Subinclosure 5.]

Deposition of George Derr.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

George Derr, being duly sworn, says: I was born in Bremen, Germany, and came to this country when I was 14 years of age, and have, since that time, lived at the city of New York. I am now 24 years of age. I have followed the sea since I was 15 years of age.

I have heard read the foregoing affidavits of William H. Brooks and Alexander Renney, and declare that the contents of the same are true.

GEORGE DERR.

Sworn to before me this 12th day of March, 1894.

FRED'K GIBLIN,
Notary Public, Kings County.

(Certificate filed in New York County.)

[Subinclosure 6.]

Deposition of Alexander Renney.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

Alexander Renney, being duly sworn, says: I have read the affidavit of Williams H. Brooks, mate, and declare that the same is true in all particulars. I was born at Riga, Russia, and came to this country when I was 13 years of age, and am now 34 years of age. I came to this country with my parents and went to Fryburg, Pa., to reside, and have lived there since that time.

While the yawl boat was coming back to the vessel repeated volleys were fired upon the schooner by the men from the shore. I could hear the balls whistling about my ears. I saw some of them which had struck portions of the vessel bound off and fall back into the water. I saw wounds on the vessel made by them and helped to pick out the balls. There must have been several hundred shots fired at the boat and the schooner. During all this time the American flag was flying from the schooner in plain sight, the wind being sufficient to keep it extended.

ALEXANDER RENNEY.

Sworn to before me this 12th day of March, 1894.

FRED'K GIBLIN,
Notary Public Kings County.

(Certificate filed in New York County.)

[Subinclosure 7.]

Deposition of Alex E. Swenson.

UNITED STATES OF AMERICA,
Southern district of New York, ss:

Alex E. Swenson, being duly sworn, says: I was born at Halsenburg, Sweden, and am 30 years old. I came to this country in 1887, and went to live in Brooklyn. I took out my first papers in May, 1893, but have not taken out my second papers.

I was an able seaman on the *Henry Crosby*. I have heard read the affidavits of Messrs. Renney and Brooks, and state that they are true to the best of my knowledge.

ALEX E. SWENSON.

Sworn to before me this 3d day of April, 1894.

FRED'K GIBLIN,
Notary Public Kings County.

(Certificate filed in New York County.)

[Subinclosure 8.]

Deposition of Johan Janson.

UNITED STATES OF AMERICA,
Southern District of New York, ss:

Johan Janson, being duly sworn, says: I was born at Gothenburg, Sweden, and am 24 years old. I have never been naturalized.

I was in the yawl boat with Mr. Brooks and Smith. I have heard read their affidavits and Mr. Renney's, and state that the same are true.

JOHAN JANSON.

Sworn to before me April 3, 1894.

FRED'K GIBLIN,
Notary Public Kings County.

(Certificate filed in New York County.)

[Subinclosure 9.]

Certificate of Dr. Athey.

OFFICE OF MEDICAL OFFICER IN COMMAND,
Marine-Hospital Service.

To whom it may concern:

Charles Smith (aged 22 years, born in Sweden, seaman for past three years in United States merchant-marine service on board schooner *Henry Crosby*) has been for

four times and is at present being treated at this office for a wound on hip, which wound, he states, was made by a rifle shot (or ball).

Treatment began the 3d day of March, 1894. Present condition does not warrant work, and it is impossible to state how long before recovery.

[SEAL.]

W. L. ATHEY, M. D.,
A. A. Surgeon, Marine-Hospital Service.

[Subinclosure 10.]

Expenses incurred at Azua.

To amount paid doctor for medical attendance	$143.00
To amount paid druggist for medicines	10.80
To amount paid for board	74.00
To amount paid men for carrying sailor	6.00
To mattresses, bedding, etc., destroyed	40.00
To amount paid extra labor at Azua	180.00
To amount paid board ten weeks and two days	51.45
To amount paid for labor and board at Macoris	48.00
To amount of expenses, Captain Stubbs, on account of Smith	25.00
To twelve days' demurrage, at $40 per day	480.00
To amount paid Smith for one month's extra pay	15.00
To damages to the small boat	30.00
To amount paid Hardy on account of Smith, sundry small expenses, medicine, medical attendance, etc	29.64
Total	1,132.89

Mr. Uhl to Messrs. Goodrich, Deady & Goodrich.

DEPARTMENT OF STATE,
Washington, April 10, 1894.

GENTLEMEN: I have received, together with your letter of the 3d instant, a memorial of the owners, officers, and crew of the schooner *Henry Crosby*, requesting the Department to assert a claim for damages in their behalf against the Government of Santo Domingo.

The facts to be gathered from the memorial and affidavits accompanying it, from the affidavits taken before the American consular agent at Azua, and from the reports made by Commander Heyerman, of the *Kearsarge*, and Mr. John R. Meade, late consul at Santo Domingo, are as follows:

The *Henry Crosby* left New York the latter part of November last, bound for the port of Azua in Santo Domingo.

On the 9th of December following she reached a place which her officers supposed to be Azua, and came to anchor about 400 yards from the shore. The place was not Azua, however, and was not a port of entry.

About a week before this time the governor of Azua had been assassinated by revolutionists, and strict measures had been taken by the authorities of the country to prevent the escape of the assassins, orders being given to watch every vessel touching on the coast.

The *Crosby* remained where she had anchored (as above noted) during the balance of the day—the 9th of December—and during that night and the following morning. A little while before noon of the 10th of December the master, Captain Stubbs, seeing some persons on the shore, ordered the mate, Brooks, and two seamen (one named Smith and one named Johansen) to take the yawl boat and approach near

enough to shore to inquire of the persons seen there whether the place was Azua. Brooks and his companions pulled the boat to within 150 or 200 feet of the shore, and asked in English if that was Azua. Answer was given, which they understood to be in the affirmative, though as none of the parties in the boat spoke Spanish, they could not have been clear as to the meaning of the reply they received. Understanding, however, that they were at Azua they started back to the vessel, and as they started back a number of soldiers, who had been concealed in bushes on the shore, emerged from their hiding place and opened fire upon them. Numerous shots were fired. One of them penetrated the side of the boat and slightly wounded Brooks, another seriously wounded Smith, while Johansen, dropping in the bottom of the boat to protect himself as far as possible, escaped unhurt.

The soldiers not only fired upon the boat and did the damage which has been mentioned, but they also fired numerous shots at the vessel, which at the time was flying the American flag, plainly visible from the shore. No damage, however, seems to have been done the vessel, the balls passing through the rigging or striking harmlessly about her sides. That evening a pilot came aboard, and it was ascertained that the vessel was not at Azua, but at what was called "Old Port," the present port of Azua being some 10 miles distant. The next morning the *Crosby* was taken up to Azua, anchored in what seems to have been the usual place, and her unloading proceeded with by means of lighters. This was Monday, the 11th of December. The process of unloading and taking on cargo continued there until about the 17th of January following, when the *Crosby* sailed for Macoris.

Smith (the badly wounded man) was left at Azua, and the vessel seems to have incurred some expense there on his account. He was subsequently sent to New York by a steamer. Brooks was for a time somewhat, but not very seriously, incapacitated for work by the wound he had received in the firing.

It is stated in the memorial that the vessel was detained at Azua two or three days longer than she should have been by the action of the authorities, who were endeavoring to get Captain Stubbs to sign a paper exonerating the Government from any liability for the occurrence of the 10th of December. But it is also stated that the captain was sent for with this object in view, after the vessel had partly discharged her cargo and while she was still lying at anchor off the port of Azua. It is not clear, therefore, that even this trifling delay was due to the action of the authorities.

It further appears that after the schooner arrived at Macoris she was delayed for some twelve days because a steamer had arrived there ahead of her, and had precedence in receiving cargo over the *Crosby*, which was a sailing vessel.

In the statement of expenses which is filed with the memorial, one of the principal items is for twelve days' damage, which evidently relates to the delay at Macoris. After this delay at that point the *Crosby* appears to have taken on her cargo and returned in due course and without further trouble to New York.

I am unable to see that the owners of the vessel have any claim for damages, except to the limited extent hereinafter indicated. True, some shots were fired at her, but there is no charge that any real injury was done. If there had been nothing in the circumstances of the country at the time to warrant unusual fears and suspicions on the part of the authorities and the soldiers, a case might be presented for demanding some pecuniary payment from the Dominican Government,

though no actual damage had been done to the vessel; but I am of opinion that, while the soldiers acted in a very indiscreet way and without proper precautions, the state of excitement which existed on account of the recent assassination of the governor should be considered in extenuation of their act. So far, therefore, as the firing is concerned, I do not think the owners have any claim. It does not appear that the occurrences of Sunday, December 10, caused any delay in the time of the vessel's arrival at the present port of Azua. She got there quite as early as she would have done had no trouble of that sort occurred. Nor do I think that the short delay of a day or two at Azua, just before the vessel sailed for Macoris, even if it was due directly to the detention of the captain by the authorities (which is not clear), furnishes a ground for damages. Neither was this delay so directly connected with the subsequent delay at Macoris (arising from the previous arrival of a steamer there) as to make the latter a proper item of claim.

I am, however, of opinion that whatever expenses the vessel was put to directly on account of the action of the soldiers in firing upon it should properly be reimbursed by the Dominican Government; such expense, for instance, would embrace the injury done to the yawl boat, medical attention upon Smith, money paid for his board, care, and attention at Azua, the injury to bedding which is alluded to, which I suppose happened in the dressing of his wounds, or any other matters of expense which were necessarily incurred by reason of the attack which the soldiers made upon the boat. Beyond this I do not see that the vessel or her owners can set up any claim.

If Smith were an American citizen I should say that he was entitled to the intervention of this Department to secure an indemnity for his injuries. He is not, however, an American citizen, nor does he come within that statute which provides that a foreigner serving as a seaman on an American vessel shall be entitled to American protection, if he has declared his intention to become a citizen; for it does not appear that he ever made such a declaration. Mr. Brooks is, perhaps, entitled to a small indemnity, though I may observe that no certificate of his naturalization is filed with the papers, as is required to be done when claims are preferred by naturalized citizens. I am unable to see that any other of the officers or crew are entitled to any damages.

The unfortunate occurrence grew out of the mistake made in anchoring the *Crosby* and sending a boat toward the shore at a place which was not a port of entry, and at a time when, by reason of the recent assassination of the governor and the expectation that an attempt would be made to effect the escape of the assassins by sea, this conduct could not fail to excite suspicion and fear in the minds of the authorities.

I may observe that Consular Agent Hardy suggests that this mistake might have been avoided had Captain Stubbs provided himself with the United States hydrographic chart of 1886, or the sailing directions from the same office, published in 1892.

It is clear that no insult to the flag was intended, since the governor of Azua, when called upon, expressed great regret at the occurrence, and Minister Smythe has reported that ample apologies were made.

On the whole, after careful consideration, I am compelled to say that the Department can not present the claim to the Dominican Government in the shape in which it is now formulated, or present it at all, except to the limited extent which I have above indicated.

I am, etc.,

EDWIN F. UHL,
Acting Secretary.

Messrs. Goodrich, Deady & Goodrich to Mr. Gresham.

NEW YORK, *July 26, 1894.*

DEAR SIR: The sickness and absence of members of our firm, covering several months of time, must be our excuse for apparent neglect of the interests of our clients in answering the Department's letter of April 10, relative to the schooner *Henry Crosby*.

We beg now to inclose an additional affidavit from Captain Stubbs, the master of the vessel, which we hope will throw some new light on the affair.

In regard to the reference in Captain Stubbs's affidavit to the United States man-of-war *Baltimore*, and the reparation made by Chile to the aliens aboard of her, we are aware that the analogy is not perfect, as the *Baltimore* was a public vessel, but it certainly seems clear to us, as private citizens, that the Government should be as quick to protect our private persons and property as it is to protect public property, and to protect even aliens who are in the employ of American citizens on a private vessel.

The assault on the flag carried by the *Henry Crosby* may be explained and apologized for to the Government, but it seems to us as if reparation should also be made to the private citizens who were also assaulted and fired upon by the authority of a foreign government. This would seem to be the protection owed to its citizens.

We would respectfully urge that the Department will reconsider the conclusions of its letter of April 10 and demand reparation for the indignity and injury which has been inflicted upon the memorialists, our clients.

Yours, respectfully,

GOODRICH, DEADY & GOODRICH.

[Inclosure.]

Affidavit of Captain Stubbs.

UNITED STATES OF AMERICA,
City, County, and State of New York, ss:

Abel F. Stubbs, of Brooklyn, N. Y., being duly sworn, says: I have read the letter of Hon. Edwin F. Uhl, Acting Secretary of the Department of State, dated Washington, April 10, 1894, in regard to the matter of the schooner *Henry Crosby*.

In answer to some of the suggestions of said letter I desire to say, in regard to the reference to my failure to have aboard the vessel a United States hydrographic chart of 1886, that I had aboard an English chart of the locality, which is in use by all mariners. The hydrographic chart of 1886 states, in a marginal note, that it is taken from the English and Spanish charts, and contains no further information about the port of Azua than does the English chart, as will be seen by a comparison of the two charts.

In relation to the objection that Charles Smith is not an American citizen, either by birth or naturalization, I call attention to the fact that the United States did not hesitate to demand and recover damages for an attack upon the sailors of the man-of-war *Baltimore* in Chile during the troubles there, where many of the sailors aboard that vessel were injured while ashore, and received compensation therefor through the intervention of our Government.

In relation to the report of consular agent Hardy, I desire to make the following statement: At the time of the outrage upon the schooner *Henry Crosby*, Mr. Hardy, with certain citizens of the United States, had obtained a concession from Heureaux, President of Santo Domingo, for the building of a sugar mill at or near Azua, with liberty to import into the country all materials necessary for the construction of the mill, and free of all duties or port charges to the vessel. The cargo of the *Crosby* was a portion of the machinery intended for the mill. Upon the arrival of the vessel a claim was made by the port authorities for the payment of port charges, amounting to something over $900. Captain Hardy gave a bond to secure this until

he saw the President. On meeting the President there at Azua, he said that it hadn't become a law, as his secretary had neglected to advertise it in the Santo Domingo papers, but after that he would allow the balance of the stuff to come in free.

When the *Kearsarge* arrived, Captain Hardy and myself went aboard of her, and I made my statement to Captain Heyerman in the presence of Captain Hardy, and Captain Heyerman thought it was a very severe thing; he said he hadn't heard anything like it in his time. Some few days afterwards Captain Hardy was to call for me and we were to go on board the *Kearsarge* together; Captain Hardy, instead of calling for me, went on board the *Kearsarge* and was there some three or four hours.

I ask that the Government will investigate Mr. Hardy's relation with President Heureaux, by reason of his concession from the President, because I believe that his report to the Government, while apparently frank and impartial on its face, is yet colored by his interests to maintain his concession and secure the favor of the Government.

In regard to the alleged revolution in Santo Domingo, I am informed there was no revolution at the time of the *Crosby* affair. There was a man that had a feeling against the governor of Azua, and he had made a bargain with five men that he would give to either one or all of the persons who would kill the governor $50 apiece; and he had paid $10 to three of them. Shortly before the *Crosby* arrived, about a week before, the governor was assassinated by these men on the highway. This is the only public disturbance there was, so far as my knowledge or information extends.

A. F. STUBBS.

Sworn to before me this 26th day of July, 1894.

[SEAL]

FRED'K GIBLIN,
Notary Public, Kings County.

(Certificate filed in New York County.)

Mr. Gresham to Messrs. Goodrich, Deady & Goodrich.

DEPARTMENT OF STATE,
Washington, August 1, 1894.

GENTLEMEN: Your letter of the 26th ultimo, and the affidavit of Mr. A. F. Stubbs, have been examined in connection with the papers already on file here relative to the schooner *Henry Crosby*, and in reply I have to say that I see no reason to change the opinion expressed in the Department's letter to you under date of April 10 last.

I am, etc.,

W. Q. GRESHAM.

Mr. Uhl to Mr. F. F. Fischer, M. C.

DEPARTMENT OF STATE, *December 6, 1895.*

SIR: In compliance with my promise to you in our conversation of the 5th instant, I have the pleasure to inform you touching the present situation of the claim of the owners and master of the American schooner *Henry Crosby* for injuries received at Azua, Santo Domingo, at the hands of the Dominican authorities.

The facts of the incident are stated very fully in the inclosures to dispatch No. 6, of January 22, 1894 (printed in Foreign Relations of the United States, 1894, pp. 207–213), from Mr. Henry M. Smythe, minister of the United States at Port au Prince, and also chargé d'affaires accredited to the Dominican Republic. The Department is also in possession of a report of the occurrence submitted by the commanding officer of the U. S. S. *Kearsarge* under date of January 2, 1894, made in pursuance of instruction to visit Azua and report concerning the affair.

Following the Department's usual rule, a duly formulated claim on behalf of the aggrieved parties was awaited before considering the question of presenting a reclamation to the Dominican Government. This was not received until Messrs. Goodrich, Deady & Goodrich, of New York, attorneys for Henry Lord and others, owners, master, and crew of the *Henry Crosby*, presented a memorial, with accompanying affidavits, in substantiation of a claim amounting to $1,132.89 for expenses incurred at Azua by reason of the firing upon the vessel by soldiers of Santo Domingo in December, 1893.

The claim so presented was carefully considered, and on the 10th of April I, being then Acting Secretary of State, wrote very fully on the subject to Messrs. Goodrich, Deady & Goodrich, summarizing the facts related in the memorial, and reaching the conclusion that the owners of the vessel had no claim for damages except to a limited extent on account of the aforesaid action of the Dominican soldiers, embracing, for instance, injury done to the yawl boat, medical attention upon the wounded man, Smith, money paid for his board, care, and attention at Azua, injury to the bedding, which is mentioned in the claim and was supposed to have happened in the dressing of Smith's wounds, or any other matters of expense necessarily incurred by reason of the attack made upon the yawl boat.

As to individual claims for damages, Smith was not entitled to the intervention of this Department, not being an American citizen, nor having come within the statute which provides that a foreigner serving as a seaman on an American vessel shall be entitled to American protection if he has declared his intention to become a citizen, as it did not appear that he had ever made such a declaration.

The chief officer of the *Henry Crosby*, Mr. William H. Brooks, I suggested might perhaps be entitled to a small indemnity, although no certificate of his naturalization had been presented. With this exception I was unable to see that any other of the officers or crew were entitled to any damages.

I further pointed out that in view of the recent assassination of the governor of Azua and the turbulent condition of that part of Santo Domingo, the conduct of the *Henry Crosby* could not fail to excite suspicion and fear in the minds of the authorities, and that it was clear that no insult to the flag of the United States was intended, since the governor of Azua, when called upon, expressed great regret at the occurrence, and Minister Smythe had reported that ample apologies were made.

My conclusion was that, after careful consideration, the Department could not present the claim to the Dominican Government in the shape in which it was formulated, or present it at all, except to the limited extent above indicated. I inclose for your information a copy of my aforesaid letter of April 10, to Messrs. Goodrich, Deady & Goodrich.

Here the matter rested until July 26, 1894, when Messrs. Goodrich, Deady & Goodrich sent to the Department an additional affidavit from Captain Stubbs, the master of the vessel, in the hope that it might throw some new light on the affair, and requested a reconsideration of the Department's conclusion. Upon reexamination, Mr. Secretary Gresham replied August 1, 1894, that he saw no reason to change the opinion expressed in the Department's letter to the attorneys under date of April 10, 1894.

Since that time no renewed presentation of the claim has been made.

I have, etc.,

EDWIN F. UHL.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 165.

TRADE RETURNS OF THE UNITED STATES FROM 1790 TO 1895.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Chief of the Bureau of Statistics, of that Department, suggesting the printing of a compilation of the trade returns of the United States from 1790 to 1895.

JANUARY 22, 1896.—Referred to the Committee on Printing and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 18, 1896.

SIR: I have the honor to transmit a communication from the Chief of the Bureau of Statistics, of this Department, suggesting a compilation of the trade returns of the United States from 1790 to 1895 As he states in his letter, these returns are now not accessible to the general public. There have been few periods of our history in which a wider or keener interest in questions of commercial matters has been shown than in the present, and I submit his recommendation in the belief that the proposed compilation will receive favorable consideration in Congress, as a useful and necessary work. No special appropriation will be needed, and the only expense involved will be that of printing.

Respectfully, yours,

J. G. CARLISLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
Washington, D. C., January 18, 1896.

SIR: Since I have had charge of this Bureau I have observed that the larger number of inquiries addressed to it from Congress, its members, from the press, and from individuals or commercial bodies, have been concerned with the statistics of commerce of past years. In order to answer these questions a large amount of time and a greater amount of effort are expended in compiling tables of general or special

commerce during a series of years. These special calls for information are doubtless necessary, but they interfere so greatly with the regular functions of the Bureau that I have planned a compilation which will do away with these interruptions by taking away all reasonable excuse for them, and at the same time will make a positive contribution of high utility to the commercial history of this country. I ask your support and indorsement of this plan in order that it may be laid before Congress with a view to its completion. I will premise that no special appropriation is needed for the compilation of this work, although it will constitute a notable increase to the labors of this Bureau. The only expense involved will be the printing, and this expense will be small when compared to the general usefulness of such a study.

Few sets of the trade returns of this Government are in existence. From 1789 to 1820 they may be found in the American State Papers, a compilation made by Congress and published about 1850. From 1821 to 1867 the Commerce and Navigation was issued by the Register of the Treasury. Since that day this volume has been prepared and published by this Bureau. It is very difficult to obtain a set of these publications, and in the three years I have been here I have been unable to obtain, by purchase or exchange, a set needed in a division of the Bureau. I do not know of any public library which possesses a set. In short, I know of no place outside of this Bureau where anyone interested in the subject could compile a table showing the trade in any one article or number of articles from the beginning of the Government. As printed in the State Papers and by the Register, the returns are widely scattered, and were prepared upon different schemes, which make reference from one year to another a matter of difficulty to the inexperienced, if not nearly impossible. Schedules were changed and new tables introduced without explanation. It is, therefore, not surprising to find much time consumed in this Bureau, with its force trained to such work, in consulting these volumes, and I consider it time wasted to compile in manuscript table after table to answer individual inquiries, when the same information could be prepared for the general public and put into some permanent form.

I propose to begin with the earliest report issued by this Government, and to make as full and complete a compilation of the import and export returns as the importance of the subject justifies and reasonable limitations as to size enjoin. In pursuance of this plan I shall give in each year the commercial movement of each and every article enumerated in the schedule, specifying the leading countries from which imported or to which exported, with the quantities and values for each of these countries. I shall thus have the total trade of the country for the year, the total trade in each item, and the principal sources of supply or markets to which sent. I shall have in this plan a nearly complete picture of the foreign commerce of the United States from 1790 to 1895, inclusive, and the material for tracing the commerce of any one article, and, what is of highest importance, indicating that movement of trade in one article from one country to another as one market or source of supply may be exhausted or new markets and new sources of supply are created and developed.

I can not but feel that this will constitute the highest public service which I can render. The subject is of immediate and increasing importance. There is no similar compilation on American commerce, and yet the position of the United States in the markets of the world, often dominating and always influential, calls for such a record of its commercial growth. The mere totals of a year's trade can convey no idea of the silent movement which a study of details develops. In 1789 the colonial dependencies of European powers constituted the best market for products of the United States. Since that time the political features of the world have been revolutionized. Colonies have become independent States, and new continents have been opened to trade. In this progress of discovery and settlement the United States has enjoyed its share, and now takes its place among the few great commercial countries of the world, drawing upon the world for what it needs and giving in exchange a part of its surplus production; yet no record of this development is available, not even that outline which the returns of the Government can alone supply, to be filled in by the philosophic student in describing causes and results, using the trade returns as a measure.

I do not feel myself competent to convey an adequate idea of the importance and value of this proposed work. I am confident that it can be carried to a successful issue during the spring of this year, and this would enable the volumes to be in print some time in the coming winter.

As mere tables of figures often convey an imperfect idea of the subject treated, I propose to appeal to the eye by colored and plain diagrams, illustrating what I regard as the more salient features of our commercial experience. I believe the whole plan can be embodied in three volumes, and will prove a source of information on every subject directly or indirectly concerned with American commerce. I

urge the plan on its own merits, and these merits will be appreciated more in the future than they are in the present. I urge it also as a partial relief to an overworked Bureau.

Respectfully, yours,

WORTHINGTON C. FORD,
Chief of Bureau.

Hon. JOHN G. CARLISLE,
Secretary of the Treasury.

Resolved by the House of Representatives (*the Senate concurring*), That there be printed five thousand copies of the compilation prepared in the Bureau of Statistics, Treasury Department, entitled Foreign Commerce of the United States, Seventeen Hundred and Eighty-nine to Eighteen Hundred and Ninety-five, with diagrams; two thousand for the use of the House, one thousand for the use of the Senate, and two thousand for the Bureau of Statistics, Treasury Department.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 166.

INCREASE OF WATER SUPPLY OF WASHINGTON, D. C.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A report of an officer of engineers, with a report of an expert Commission, on certain matters relating to the Washington Aqueduct and the water supply of the city of Washington.

JANUARY 23, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 23, 1896.

SIR: In compliance with the provisions of the act of Congress making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1896, and for other purposes, approved March 2, 1895, which require report to be made to Congress on certain matters relating to the Washington Aqueduct and the water supply to the city of Washington, I have the honor to transmit herewith a copy of the report of Maj. John G. D. Knight, Corps of Engineers, the officer in charge of the Washington Aqueduct, with indorsement thereon of Brig. Gen. Thomas L. Casey, Corps of Engineers, retired, consulting engineer, together with a copy of a report of an expert Commission, which, though not specifically provided for in the above-mentioned act, was, upon the recommendation of the Chief of Engineers, and in view of the importance of the subject, appointed to consider the several questions involved and to submit their views thereon.

The act cited further requires that the report to be made to Congress "shall also be accompanied with the judgment of the Chief of Engineers, and made to the Secretary of War, who shall transmit the same to Congress with his views thereon." In accordance with the last-mentioned requirement I also transmit herewith a letter of the Chief of Engineers, dated the 20th instant, in the recommendations of which I beg to express my concurrence.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 20, 1896.

SIR: November 21, 1895, I had the honor to address to you a letter from which the following extracts are now made:

The act of Congress approved March 2, 1895, requires—

"There shall be prepared upon careful investigation by the proper officer of the Government having the charge of the Washington Aqueduct and the water supply to the city of Washington, a full and detailed report, which shall be submitted to Congress on the first Monday in December, eighteen hundred and ninety-five, upon the feasibility and propriety of completing the tunnel conduit as now projected; the completion of the new reservoir, including its dam or any modifications to the same deemed necessary; and upon the results as to the supply of water to the city when said dam, the raising of the dam at the Great Falls, the conduit, and reservoir are completed. And if such officer and consulting engineer shall conclude that it is impracticable or too expensive to repair such tunnel conduit, then they shall report some plan for bringing increased water supply from the reservoir in Georgetown to Washington by pipes or otherwise.

"Each separate item of the report shall be accompanied by a detailed estimate of the cost of the work required, and the necessary costs, not to exceed ten thousand dollars, connected with the inquiry and reports, shall be defrayed from the appropriation for 'Increasing the water supply of Washington, District of Columbia:' *Provided,* That in the preparation of this report General Thomas L. Casey, United States Army, shall be associated with the proper officer of the Government in charge of the aqueduct as consulting engineer, and his signature shall be appended to said report in said capacity, and said report shall also be accompanied with the judgment of the Chief of Engineers, and made to the Secretary of War, who shall transmit the same to Congress with his views thereon."

Major Knight has submitted a report on this subject, dated October 30, 1895, of which a copy is herewith.

The law requires that the subjects treated in this report be accompanied by "the judgment of the Chief of Engineers."

From the information now before me I am unable to say that it is "impracticable or too expensive to repair the tunnel conduit."

* * * * * * *

The time is probably now too short to enable me before December 2, when the law requires report, to reach conclusions satisfactory to myself on the very important points involved in this whole subject. Nor does a literal compliance with the law seem necessary so far as relates to the rendition of the report on the very day specified—December 2—the intent doubtless being that the report should be before Congress early in the session. This being a new Congress, it is not at all probable that the consideration of the aqueduct would be taken up for several days at least after the beginning of the session.

The cost of completing the tunnel project is so much less than the cost of any other project proposed, that it would be a most serious matter to condemn this plan of water supply without reasons more cogent than now appear, and on the other hand, the distrust of the tunnel plan existing in the minds of many of our citizens, and which formerly, at least, strongly possessed Congress, make it necessary that the recommendation for its adoption, if this should seem advisable, should be supported by facts, figures, and opinions so weighty as to carry conviction. Mere prejudice should not prevail to prevent the completion of the tunnel if full investigations show it to be economical and otherwise desirable to use it. The city of New York has now in successful use in connection with its water supply a great tunnel in which, while under construction, much more serious defects were discovered than in the Washington tunnel, still unfinished. Baltimore is also supplied with water through a long tunnel, and so with other cities.

Before giving my "judgment" I wish to have the advice of a board containing one or more of the prominent civil engineers of the country who have had special experience with works for the supply of water for great cities.

The recommendation for the formation of an expert Commission received your approval, and it was composed of the following persons:

Maj. W. L. Marshall, Corps of Engineers.
Capt. James L. Lusk, Corps of Engineers.
Mr. Alphonse Fteley, New York.
Mr. Desmond Fitz Gerald, Boston.
Lieut. D. D. Gaillard, Corps of Engineers, recorder.

Mr. Fteley is the chief engineer of the works for the water supply of New York City, and in that capacity has had in his charge the repairing and completion of the tunnel there which had the same defects in its lining as the tunnel here, and in the New York case they were more extensive and serious than in Washington.

Mr. Fitz Gerald has had a long experience in connection with the waterworks of Boston.

It may then be safely said that there are no other engineers in the United States whose opinions are entitled to more weight than theirs on the subject before them. The officers of the Corps of Engineers on the Commission, Major Marshall and Captain Lusk, are specially fitted for the same duty by their past experience and studies and works.

This Commission has rendered a report under date of January 17,1896, which is submitted herewith. It has been delayed in order to have the tunnel thoroughly pumped out and thus allow a most careful inspection of it throughout.

The Commission estimates that the cost of completing the tunnel proper will be $600,000. To provide necessary accessories and connections with the reservoirs at its ends will require an additional sum of $300,000.

Some short extracts are made below from the report of the Commission:

When the amount necessary to complete the present tunnel is considered, it is our opinion that no other means can provide as economical and efficient a method for conducting large quantities of water from one part of the District to another, provided of course that it is practicable to complete the present tunnel in such a manner as to insnre safety in its operation and maintenance.

With the slight difference of level existing between the distributing reservoir and the new reservoir, which is about 2 feet, the capacity of the tunnel according to our computations is equal to that of nine 48-inch pipes, or more than three 6-foot pipes, of the same length. Considering the requirements of the city in the near future the addition to the distributing system of a structure of such large carrying capacity must prove of inestimable advantage.

* * * * * * *

In conclusion we have to report that it is our unanimous judgment that it is "feasible to complete the tunnel conduit" with its appurtenances, ready for service, for the sum of $897,837, as stated in our estimate, and we believe that such completion will not be "impracticable or too expensive," inasmuch as we know of no more economical method "for bringing increased water supply from the reservoir in Georgetown to Washington by pipes or otherwise."

As required by law I have the honor to render my "judgment," which is *that the tunnel should be completed as soon as possible.*

In this connection attention is called to the fact that the sum of $266,746.38 of the appropriation of 1882 and by subsequent acts for "increasing the water supply of Washington, D. C.," remains unexpended, and it is recommended that that amount be made available for prompt expenditure for the completion of the tunnel between the distributing reservoir and the new reservoir near Howard University and for the other works connected therewith, including the latter reservoir; the said sum to be immediately available, and to be applied to such parts of the works and in such order as to time as the Secretary of War may deem necessary to promote as soon as practicable the completion of the entire system of said works; and the same shall be done by contract or otherwise, as the Secretary of War may deem best for the public interests.

The unfinished reservoir near Howard University should be completed as speedily as possible. The dam at the Great Falls is now

being raised 2½ feet, and the work will be carried through as rapidly as practicable.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

REPORT OF COMMISSION OF EXPERTS ON INCREASE OF WATER SUPPLY OF WASHINGTON, D. C.

WASHINGTON, D. C., *January 17, 1896.*

GENERAL: The Commission of experts appointed to consider and report upon certain questions relating to an increase of the water supply of the city of Washington, D. C., has the honor to submit the report set forth below:

ORGANIZATION.

The Commission met in Washington, D. C., at 9 a. m., December 9, 1895, in accordance with the provisions of the following letter:

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., November 29, 1895.

MAJOR: By authority of the Secretary of War, you are hereby appointed member and president of a Commission of experts, which will meet at Washington, D. C., Monday, December 9, 1895, at 9 a. m., in room No. 128, War Department, to consider and report on certain questions relating to an increase of the water supply of the city of Washington, which will be referred to the Commission.

The other members of the Commission are Capt. James L. Lusk, Corps of Engineers, Alphonse Fteley, C. E., and Desmond Fitz Gerald, C. E.; Lieut. D. D. Gaillard, Corps of Engineers, recorder.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Maj. WILLIAM L. MARSHALL,
Corps of Engineers.

PROCEDURE.

The Commission then proceeded to the examination and consideration of the questions submitted to it, observing strictly the directions contained in the following letter of instructions:

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., November 29, 1895.

MAJOR: Below please find a statement of the questions which I desire now to submit to the consideration of the Commission of experts convened to consider and report on certain questions relating to an increase of the water supply of the city of Washington, of which you are president.

It is desired that the report of the Commission shall furnish the necessary information for determining "upon the feasibility of completing the tunnel conduit," and if it be determined that "the completion of the tunnel is impracticable or too expensive," what is the best substitute plan "for bringing increased water supply from the reservoir in Georgetown to Washington by pipes or otherwise."

In this latter case the Commission will consider the tunnel conduit project, the alternative project submitted by Major Knight, the flowing conduit project of Gen-

eral Casey, the various plans submitted to Congress by the Congressional Board of experts, and such other projects as may be referred to them, so far as they relate to the particular branch of the subject before them.

The Commission will base their estimates upon the data submitted to them and from such investigations and examinations of the existing tunnel as they may be able to make with means and time available.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Maj. WILLIAM L. MARSHALL,
Corps of Engineers, President of Commission of Experts on Increase of Water Supply of Washington, D. C.

The Commission first examined carefully the maps and profiles relating to the work in question, and the printed reports and testimony, and other available data bearing upon the subject. The distributing reservoir and the terminus of the tunnel at the new reservoir near the Soldiers' Home were then visited and examined, as was the territory lying between those reservoirs and near the route of the tunnel.

Portions of several days were spent in ascertaining the views of the officers most recently connected with the Washington Aqueduct, and those in charge of the water department of the District of Columbia, both in regard to the details of the location and construction of the tunnel and the relation of the latter to the local system of water supply and distribution.

The whole length of the Aqueduct tunnel, with its shafts, was carefully examined, particular attention being paid to the condition of the rock and the brick work and rubble masonry in place. Owing to the insufficient capacity of the pumping plant available, the examination of the tunnel was considerably delayed, thereby postponing the completion of this report.

In connection with its examination the Commission deemed it expedient to get the opinion of Mr. Thomas B. Main and Mr. Andrew J. Sparrow as to the present condition of the tunnel, seven years having elapsed since they were employed to make detailed examinations and measurements for a joint committee of Congress appointed to investigate the tunnel question. The report of these two gentlemen is herewith submitted.

The Commission believes that it has given to the questions assigned to it the fullest examination and consideration possible with the limited time and means at its disposal, and presents the following brief résumé of its conclusions, which in all essential features are practically unanimous.

BRIEF DESCRIPTION OF TUNNEL.

The plan, profile, sections, and photographs accompanying this report give an idea of the Washington tunnel, but a brief description may not be out of place:

The tunnel was designed to connect the main distributing reservoir in the suburbs of Georgetown on the westerly side of the city, with the new distributing reservoir near the Soldiers' Home, on the northerly side of the city. It is about 4 miles long, constructed entirely in tunnel through rock, and at a depth of about 150 feet below the surface. It is well known that before the tunnel was completed, grave defects were discovered in its construction, and that in consequence the work was abandoned in 1889.

The principal object for the construction of the tunnel was to provide means for carrying a large amount of water, with but a small loss of head, from the terminus of the Washington Aqueduct to the new reservoir, thus maintaining the pressure in a large part of the

city situated at a distance from the main distributing reservoir. The pressure in this portion of the city is now drawn down in times of maximum draft by the very large consumption of water and the lack of sufficient mains to reenforce the supply.

There are other methods by which this result can be attained, such as the laying of additional mains, the construction of a tunnel nearer the surface of the ground, or by a combination of these plans. On account of the topography a good line for a surface aqueduct connecting the reservoirs does not exist.

When the amount necessary to complete the present tunnel is considered it is our opinion that no other means can provide as economical and efficient a method for conducting large quantities of water from one part of the District to another, provided, of course, that it is practicable to complete the present tunnel in such a manner as to insure safety in its operation and maintenance.

With the slight difference of level existing between the distributing reservoir and the new reservoir, which is about 2 feet, the capacity of the tunnel, according to our computations, is equal to that of nine 48-inch pipes, or more than three 6-foot pipes of the same length. Considering the requirements of the city in the near future, the addition to the distributing system of a structure of such large carrying capacity must prove of inestimable advantage.

It became apparent, therefore, early in our investigation that the portion of your letter of instructions which referred to the determination of the feasibility of completing the tunnel was the first and most important subject for study by the Commission.

FEASIBILITY OF COMPLETING TUNNEL CONDUIT.

Careful examinations of the nature and condition of the rock through which the tunnel is built has convinced us that it can be relied upon to withstand safely the pressure to which it will be submitted when the tunnel is filled with water and subjected to the maximum hydrostatic pressure. We found the rock, with but few exceptions, to be sound, strong, and hard. The report of Messrs. Main and Sparrow, already alluded to, confirmed our own opinion as to the condition of the rock, inasmuch as these gentlemen found it in almost exactly the same condition to-day that it was in 1889. Although practically unsupported, the rock has only fallen in two or three places, and to an amount which we consider trivial. With the exception of a few schistose veins, the rock shows no signs of disintegration. These veins are few in number, and even at these points the rock appears, to a large extent, to be free from percolation and fissures, and we believe that when closed in by proper masonry construction all disintegration will cease. In brief, we believe there is nothing in the nature of the rock to cause uneasiness or to call for the exercise of unusual engineering expedients.

In 1889 it was found that in some portions of the tunnel the cement was soft and of a suspicious character. It appears from the examination of Messrs. Main and Sparrow that this cement has now become hard, and it has evidently improved with age. We personally tested the hardness of the mortar throughout the tunnel, as far as possible, and found it to be in a satisfactory condition.

PERCOLATION.

One of the objections against the tunnel that has been urged with much force is the liability of leakage or percolation outwards from the tunnel into the ground when it is subjected to the pressure of the water.

This is a point to which we have devoted much time and attention. It is evident that should the leakage be sufficiently great the dangers to be apprehended from this source might be considerable. These possible dangers, however, are materially lessened by a consideration of the fact that from all the information we have been able to collect, it appears that for a considerable portion of the tunnel the natural level of the water in the ground is not far different from that of the hydraulic grade line of the water in the tunnel.

Since this tunnel was abandoned, the new Croton Aqueduct, supplying the city of New York with water, has been completed. A portion of this aqueduct, embracing a length of about 7 miles, is subjected to internal pressure with a maximum pressure due to a head of about 130 feet. In this case no serious percolation has been observed, although the surface of the ground is at several points much below the hydraulic grade line. An experiment made for the purpose of determining the amount of this leakage outward from the aqueduct showed that the total loss in the whole 7 miles from this cause did not exceed 225,000 gallons in twenty-four hours.

With this practical example before the Commission, and guided by our own judgment and experience, we believe that if the spaces now existing between the brickwork and the rock are thoroughly filled with rubble masonry and grouted, that the tunnel can be made sufficiently watertight, and that the leakage under a head of 150 feet will not be large enough to prove an obstacle in the way of the successful completion and operation of the tunnel. In this connection we recommend that the interior surface of the whole tunnel should receive a double coating or wash of pure Portland cement. This treatment will aid materially in making the brickwork more impervious to the passage of water.

Objection has also been urged against the tunnel on the ground of the danger of contamination to the supply from the percolation of ground water into the tunnel when it is empty. This condition can occur but seldom, perhaps but once or twice a year at the most, when the tunnel is pumped out for examination. The amount of this percolation is very slight, even under present conditions with the lining practically open. While our examinations of the tunnel were under way samples of water at various points were collected for analysis,* and not without some difficulty on account of the small amount of water flowing. These analyses do not indicate that anything of a contaminating nature passes into the tunnel when it is empty.

If the tunnel is completed in accordance with our recommendations, the percolation will be so trifling as to be unimportant, especially when taken in connection with the general absence of organic matter in the wells of those portions of the city which are much more thickly populated than is the ground directly over the tunnel.

SILTING.

It is known that at times the Potomac water contains a large amount of silt. An idea of the amount which may be expected to deposit in the tunnel may be formed from the results of sedimentation which has taken place in the past in the present aqueduct, where it has not been the source of serious trouble. If these deposits occur they should not be allowed to accumulate, but should be removed from time to time, and this can be readily done by means of the four shafts retained and which will be equipped with the necessary hoisting machinery to accomplish this object.

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* These analyses are given in the accompanying table.

COMPLETION OF THE MAIN TUNNEL.

A portion of the tunnel about 6,000 feet in length now contains no lining and the remainder is provided with a lining of varying section, as shown on one of the accompanying plates. Our estimate for the completion of the tunnel proper is therefore naturally divided into two parts.

We have estimated for completing the unlined portions of the tunnel with brickwork of the same form as that used in the lined portions which are provided with an invert. There are large quantities of loose rock in the tunnel at these points which can be used for the rubble-masonry backing.

Our examination of those portions of the tunnel already lined, taken in connection with the published testimony and supplemented by the statements of others whom we have called before us, shows that there is a great diversity in the character of the lining. In some portions of the tunnel vertical rubble side walls have been built. Where these occur we have been unable to find any void spaces of magnitude behind the walls. In other cases the side walls are built of brick, generally filled on the outside to the crown of the arch with loose packing. Some portions contain a brick invert. As a general rule empty spaces exist over the crown of the arch. In the westerly part of the tunnel these spaces are comparatively small, but in the easterly portion they are much larger, in some cases extending to more than 10 feet in height. These cavities must be filled with rubble masonry laid solidly in cement mortar. In some cases timbering exists in the spaces over the arch. The timbering should be taken out in sections and rubble masonry substituted. Where the spaces will not allow of laying rubble masonry provision has been made for filling the spaces with stone packed by hand and then grouting the whole mass with cement under pressure. In other words it is intended to fill every space or void now existing in these portions of the tunnel either with cement, grouted rubble, or with rubble masonry laid in cement, thus securing a solid backing everywhere between the lining and the rock.

Where no invert now exists we recommend a slight excavation of the rock and the building of an invert of Portland cement concrete, smoothly finished.

RE-ENFORCEMENT OF THE ROCK CREEK SECTION.

Experiments made by Major Knight in 1895, and detailed in his report upon this subject, indicate that the covering of rock over the tunnel in the Rock Creek Valley is not sufficient to provide the necessary resistances required, or to prevent serious percolation. These experiments confirm our own opinion that for a length of about 1,000 feet under Rock Creek it will be necessary to provide some special form of construction. We have considered various plans, and have come to the conclusion that either a subtunnel, built at a considerable distance below the present tunnel, should be provided, or that the present tunnel should be lined with cast iron, surrounded with concrete. A majority of the Commission is inclined toward the metallic lining. The cost of the two plans is practically the same.

ACCESSORIES.

In the course of our examination we have found that it will be necessary to provide several accessories in connection with the tunnel for

the purpose of making it available and for the purpose of maintaining it in a proper manner after construction is completed. We will now allude to these briefly in their order, beginning at the westerly end.

A connection now exists with the 7-foot by-conduit around the distributing reservoir. A direct connection should also be made with the reservoir, near the westerly shaft, to be controlled by a gatehouse, provided with the necessary gates and appliances to regulate the flow.

As it is probable that there are voids existing between the brick lining and the rock surrounding the westerly shaft, the whole of this shaft should be thoroughly grouted.

The estimate has included a gatehouse covering the shaft, which will contain hoisting apparatus of simple construction for the raising of material from the bottom of the tunnel. The shaft is to be provided with a deep sump protected by heavy paving.

The profile of the tunnel shows a slight summit near the westerly end, and we have provided a small brick structure through this divide for the purpose of draining the water in an easterly direction.

We have deemed it advisable to close the Foundry Branch shaft entirely. This can only be accomplished by providing drainage through the Fayette street summit in an easterly direction to the Rock Creek shaft. We recommend the construction through this summit of a 24-inch masonry pipe properly protected with concrete. Owing to slight percolation in the immediate neighborhood of the Foundry Branch shaft, the brick lining at this point is to be reenforced, the shaft lined, grouted, and permanently sealed.

All three of the air shafts existing on the line of the tunnel are to be repaired, grouted, and protected by suitable coverings.

As the Rock Creek portion is the lowest level in the tunnel, and there is here but a small amount of material over the arch, this point has been selected for the construction of a 48-inch blow-off with gates, to empty the tunnel of all the water which can be taken out, with the exception of that which must be pumped. The shaft is to be provided with a metal lining 6 feet in diameter, backed with brick and concrete. To this lining will be attached a cover of sufficient strength to resist the internal pressure. The shaft will be protected by a brick house provided with hoisting apparatus. A short distance from the shaft an excavation will be made in the rock to receive a large pump pit surrounded with a heavy wall and containing the pumping machinery, the whole covered by a substantial superstructure. A boiler house will contain the necessary boilers for supplying power to the pumps, which will be of sufficient capacity to raise 12,000,000 gallons in twenty-four hours from the level of the tunnel to Rock Creek.

In the Champlain avenue shaft the present timbering is to be repaired and the shaft lined with brick and concrete, containing an opening not less than 8 feet in diameter. A standpipe 25 feet in height should be built upon the top of the shaft, and the whole covered with a brick house containing the pumping and hoisting machinery. A connection with the local sewer should be made at this point to avoid the discharge of water on to the surface of the ground.

The Howard or easterly shaft is to be reenforced by a 12-inch brick lining inside the present shaft, and the backing of the shaft grouted throughout its whole height. There will be a paved sump at the bottom.

A liberal sum has been estimated for the erection of a gatehouse over the easterly shaft; it is an important adjunct in connection with the construction of the tunnel. The foundation of the gatehouse is to

be independent of the shaft and sunk to a considerable depth, not less than 50 feet below high water in the reservoir. The gatehouse will be large enough to control the flow of water to different parts of the reservoir, and double sets of gates will be provided for this purpose. It will also receive the effluent water from the reservoir and discharge it into the large cast-iron main already laid from the reservoir and connecting with the distribution system.

ESTIMATES.

The following table contains estimates for completing the different portions of the tunnel above alluded to. The estimates include what we deem to be a sufficient allowance for superintendence and contingencies. The total amounts to $897,837. In our judgment the tunnel can be completed in a first-class manner, with all accessories, and ready for operation, for the above sum.

For completing the unlined portion of the tunnel	$181,010
For completing the portions already lined	278,012
Reenforcement of tunnel at Rock Creek	138,000
Total to complete tunnel proper	597,022
Appurtenances, including shafts, connections, gatehouses, machinery, etc	220,315
Miscellaneous, including cleaning and coating tunnel and pumping during construction, etc	80,500
Total	897,837

The quantities on which we have based the above estimates have been taken from Senate Report No. 2686, part 1, Fiftieth Congress, second session, and from subsequent computations made under our direction by Capt. C. McD. Townsend, Corps of Engineers, United States Army, whose services were kindly placed by you at our disposal; also upon the supposition that the whole work will be completed under proper inspection and superintendence within two years.

ADDITIONAL CONSIDERATIONS.

We desire to emphasize the importance of providing proper detailed designs for the construction of the tunnel and all the appliances necessary for its operation, and briefly described above.

In connection with the various pumping plants, which from the peculiar profile of the tunnel it is necessary to maintain at various points, we have the following recommendation to make: A selection of men should be made from the permanent force employed upon the maintenance of the completed system. These men should be drilled in the operation of all the machinery connected with the tunnel to fit them for working the pumps promptly whenever it becomes necessary, and to insure the maintenance of all the machinery in good order.

Our instructions do not direct any consideration of the construction or sufficiency of the reservoir near the Howard University nor its outlets into the distribution system; we have therefore confined ourselves to a study of the tunnel proper and its appurtenances. Realizing, however, that the tunnel and the reservoir form part of one harmonious system and realizing the magnitude of the interests depending upon the security of these works, we recommend that the most careful examination should be made both of the reservoir and of the connections with the distributing system before the tunnel is put into service.

CONCLUSION.

In conclusion, we have to report that it is our unanimous judgment that it is "feasible to complete the tunnel conduit," with its appurtenances, ready for service, for the sum of $897,837, as stated in our estimate, and we believe that such completion will not be "impracticable or too expensive," inasmuch as we know of no more economical method "for bringing increased water supply from the reservoir in Georgetown to Washington by pipes or otherwise."

W. L. MARSHALL,
Major, Corps of Engineers, U. S. A.
JAS. L. LUSK,
Captain, Corps of Engineers, U. S. A.
A. FTELEY, C. E.
DESMOND FITZ GERALD, C. E.
D. D. GAILLARD,
Captain, Corps of Engineers, Recorder.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. Army.

REPORT OF MESSRS. THOMAS B. MAIN AND ANDREW J. SPARROW.

WASHINGTON, D. C., *January 16, 1896.*

DEAR SIR: In accordance with the verbal instructions of your Commission, "to examine the Washington Aqueduct tunnel with the view of ascertaining what changes, if any, and their character, have taken place in the condition of the rock, the lining and the backing, since our last report (dated February 2, 1889) to the Board of Expert Engineers, appointed by an act of Congress in October, 1888," we have the honor to report as follows:

January 13, 1896: We entered the tunnel at Rock Creek shaft and proceeded through the east heading from Rock Creek shaft, the west and east headings from Champlain avenue shaft and the west heading from Howard shaft, coming to the surface at this shaft.

January 14, 1896: We reentered the tunnel at Rock Creek shaft and proceeded through the west heading from Rock Creek shaft, the east and west headings from Foundry Branch shaft, and the east heading from west shaft, coming to the surface at this shaft, thus covering the entire length of the tunnel.

We made a general examination of the tunnel and lining throughout its entire length, and detail examinations as to the condition of the rock and backing at numerous points where openings in the lining had been previously made and examined by us.

In the west heading from Champlain avenue shaft, at about station 9 + 95, we found the roof of the excavation had broken through the lagging, scattering the lagging and some stone over the crown and haunches of the arch.

In the east heading from Champlain avenue shaft, at about station 23 + 80, where the roof has been timbered, the rock has disintegrated and fallen into the tunnel just at the end of the timbering, leaving quite a large pocket in the roof of the tunnel. At about station 24 + 60 in the same heading, the rock, which is similar in character to that at station 23 + 80, has disintegrated, crushed through the lagging, and filled up about two-thirds of the width of the tunnel at the bottom.

From Howard shaft west, and Foundry Branch shaft east, for a considerable distance, there is quite a deposit of gravel, stone, etc., in the tunnel, which was not there at our last report.

With these exceptions, and the increase in strength of the mortar due to age, we noticed no change in the conditions of the tunnel now, and those existing in January, 1889.

Respectfully submitted January 16, 1896.

THOMAS B. MAIN.
ANDREW J. SPARROW.

Maj. W. L. MARSHALL,
Corps of Engineers, U. S. A., Chairman of Commission to Report on the Washington Aqueduct Tunnel.

Results of chemical examination of water, expressed in parts per million, made by Mr. J. D. Hird, chemist, Health Department, District of Columbia.

Whence taken.	Received by chemist.	Odor.	Color.	Condition.	Solid residue 100° C.	Loss on ignition.	Nitrogen as—				Oxygen consumed, 100° C.	Chlorine.
							Free and saline ammonia.	Albuminoid ammonia.	Nitrites.	Nitrates.		
	1896.											
Station 1900, Champlain avenue west.*	Jan. 17	Odorless ..	Colorless ...	Iron oxide in suspension ...	.....	.....	.006	.003	.00	2.6	.48	9
Between stations 3 and 4, Foundry Branch east.*	Jan. 14	.....do	.....do	Clear	96	44	.004	.002	Trace.	2.6	.4	6
Station 2100, Rock Creek east*	Jan. 17	.....do	.....do	.....do	206	112	.004	.004	.00	3	.52	8.5
Station 1100, Champlain avenue east.*	Jan. 17	.....do	.....do	Iron oxide in suspension ...	186	82	.00	.005	.00	2	.6	7
Station 4, Champlain avenue east* .	Jan. 17	.....do	.....do	Small amount woody matter in suspension.	200	40	.00	.016	Trace.	1.4	.68	8
Station 1600, Howard west*	Jan. 17	.....do	Opalescent..	Cloudy; due to suspended silica.	.....	.....	.005	.00	.00	2.4	.4	5
					Expressed in grains per gallon.†							
Between stations 3 and 4, Foundry Branch east.	Jan. 14	.....	.....	.....	5.607	2.565	.000233	.0001168	Trace.	.1518	.0233	.35

*The analysis shows this to be good water.

†The American or wine gallon containing 58,328,886 grains is meant.

LETTER OF COL. GEORGE H. ELLIOT, CORPS OF ENGINEERS (RETIRED).

WASHINGTON, D. C., *December 13, 1895.*

GENTLEMEN: At the meeting with the Commission on the 9th instant, to which it did me the honor to invite me, it was desired that I submit in writing my views as to the abandonment of the incomplete aqueduct tunnel recommended by Major Knight in his recent report.

In this report, of which a copy was some time since sent to me by the Chief of Engineers, I find that Major Knight has admirably answered all the objections to completing the tunnel suggested by the Commission of experts of 1889, as stated in the report of the joint committee of Congress of February 26 of that year, and that he has offered no others, but nevertheless he condemns the tunnel by reason, as he states, of "the extreme difficulty of repair in case of necessity."

I hope it may be useful if I restate and remark upon the most important points in his answers to these objections, which I number as follows:

1. *The danger of percolation of water through the lining outward, causing a greater or less loss of supply at the distributing reservoir.*

Major Knight says:

> The experts were of the opinion that if all of the work could and would be faithfully fulfilled in accordance with the later specifications under which the work was to have been prosecuted, which required backing by masonry laid in cement mortar, it would make the tunnel reasonably water-tight, but that it would not prevent all leakage absolutely. (P. 5 of copy of Major Knight's report.)

Major Knight quotes General Duane's report of his experiments on the Croton Aqueduct tunnel. This tunnel is very much like our aqueduct tunnel. It is subjected to very heavy pressures; it, like our tunnel, had been badly constructed, and the rock through which it passes is "full of fissures," but gaugings, after the fraudulent work had so successfully been made good, showed that the loss of water was but 228,500 gallons per day in 7 miles of aqueduct, a loss which General Duane characterized as "very insignificant" (p. 6). If our 4-mile tunnel should lose water at the same rate, the total loss would be about 130,000 gallons per day, or about one eight-hundredths of the carrying capacity of the tunnel.

About 100 feet of our aqueduct tunnel east of the west shaft is in very rotten rock. It is between 80 and 90 feet below the surface. It is lined and so is the shaft. In 1886 the tunnel and the shaft were filled with water, and although there was no egress for it except through the linings of the tunnel and shaft, they remained filled for about three months, the tunnel being under a pressure of about 35 pounds per square inch (p. 7).

Major Knight's further observations on this subject (pp. 7–9) are interesting and instructive, and, together with the facts just stated, naturally and justly lead to his conclusion (pp. 9, 10) that—

> If the tunnel conduit be completed according to the latest plans, with brick lining and invert thoroughly backed with rubble masonry and the lining treated with washes of Portland cement, no danger of a material loss of supply is to be anticipated from percolation through the portions of it removed from Rock Creek; and if a special metal lining be used in the vicinity of Rock Creek shaft, like danger will be averted here.

2. *The consequent danger of injury to property from the constant carrying of water outward into the surrounding rocks full of fissures, seams, and of soft and decomposing material and emerging in the city.*

I quite agree with Major Knight's conclusion from his consideration of this question (pp. 10, 11) that it is not probable that water escaping from the tunnel will emerge in dangerous quantities somewhere [anywhere] in the city.

3. *The danger, when there may be pressure from accidents or the emptying of the reservoirs, or at points where the ordinary pressure is less, of the water in the ground and surrounding rocks mixing with the water from the reservoir and thus polluting it.*

The results of the analyses of the seepage water of the tunnel as taken from the shafts after the tunnel had remained filled with this water for more than six years, which analyses were made independently by the District inspector of asphalts and cements and by the chemist of the District health department, lead irresistibly to Major Knight's conclusion (pp. 13–15) that "there is now no danger of pollution of conduit [tunnel] water by ground water, and it may be affirmed that this danger will not arise from any natural cause in the future." The waters analyzed were in danger of pollution from the decayed timbering of the tunnel and shafts and from other sources that will not exist when the tunnel is in working order and carrying to the Howard University Reservoir the pure water of the Potomac.

4. *The extreme difficulty of cleaning the tunnel and removing any sediment which in the long run is likely to accumulate in it.*

Major Knight's conclusions respecting this question are that "there would be very little sediment deposited in the tunnel" and "the sediment likely to accumulate in it will not be enough to permit an objection to the use of the tunnel conduit" (p. 19). I do not think that the first of these conclusions is quite correct. My thoughts on this subject have led me to suppose that while in the tunnel generally there will not be any great deposit of sediment, it will, at times, form pretty rapidly at the bottom of the outlet shaft at the Howard University Reservoir, but it is certain that the proposed blow-off at the summit of Rock Creek shaft will furnish exceptional and most effective means for removing this deposit and all other deposits from the tunnel as often as it may be found necessary.

5. *The extreme difficulty of repair in case of accident.*

From Major Knight's consideration of this question he comes to the conclusion (p. 16) that "it is difficult to conceive of any accident (other than that which an earthquake might occasion) to which the tunnel would be exposed, which could not be properly guarded against during the completion of the work." I am convinced that this conclusion is true. I can not imagine anything likely to happen to the tunnel that will impair its usefulness if it be finished as it should be and can be. The blow-off at the summit of Rock Creek shaft would be more likely than any other part of the work to get out of order by use (by vibration), but this can certainly be provided against by making all parts of the blow-off of sufficient strength and solidity. "Yet," Major Knight adds to his conclusion, "should any [accident] occur repairs would be difficult and require much time," and because of this, and because of this alone, he in effect recommends the abandonment of the tunnel and the adoption of a new route and plan.

It is not only difficult, but it is impossible to conceive of any accidents that can not be provided against during the completion of the tunnel.

The dangers to which aqueduct tunnels may be said to be exposed are those stated by Major Knight, viz: "The falling of rock or earth from the roof, the forcing in of the sides, and the opening of cracks in the lining occasioned by internal pressure." The most ingenious objector would not be able to suggest any real dangers other than these

three, and Major Knight therefore completely disposes of all possible dangers by saying (p. 15): "The first two may be guarded against by a suitable lining, including invert; the opening of cracks in the lining must [will] be prevented by the resistance of the rock walls exerted through a solid backing of the lining."

In view of the tremendous responsibility that had been put upon him, to say nothing of the loss of so much money if the tunnel should be abandoned, or of the disappointment that an adverse report from him would produce in the District of Columbia, which has paid one-half the cost of the work and has nearly recovered from the effects of the report of the Commission of experts of 1889 and now hopes and trusts that the tunnel will be a success after all, I do not see how it was possible for Major Knight to so thoroughly convince himself that there are and will be no dangers of accidents "which could not be properly guarded against during the completion of the work," and then come to the extraordinary conclusion found at the end of his report.

He first says in effect that there is no danger of accidents, and then condemns the tunnel because "if any occur, repairs would be difficult and require much time." His condemnation is founded on nothing to be discovered in his report. In fact all the facts stated by him and all his deductions from the facts are against his conclusion.

He acknowledges (p. 29) that "the possibility of the necessity of repairs" is both "small and remote," yet in spite of this he condemns the tunnel and suggests a plan of his own, which, from his own figures, would cost nearly half a million dollars more than his estimated cost of completing in a thorough manner the aqueduct tunnel, and which would not have one-third of its capacity for carrying water to the Howard University Reservoir.

The plan proposed by him is a conduit from the distributing reservoir to the west side of Rock Creek, and thence the water is to be carried by three 48-inch mains to the Howard University Reservoir.

Provision is to be made at the proposed gatehouse at Rock Creek for a fourth main leading to the reservoir, and a fifth, not to lead to the reservoir but to be laid west of and along Rock Creek, neither of which mains is included in his estimates.

In respect of the comparative cost of completing the aqueduct tunnel and the plan proposed by Major Knight, I have this to remark: His estimate of the cost of completing the tunnel is $1,233,328. His estimate of the cost of his plan, which is, west of Rock Creek, "mainly in tunnel" (he proposes to substitute one tunnel for another), is $1,503,209, a difference in favor of completing the aqueduct tunnel of about $270,000, but his estimate provides for only three 48-inch mains.

In order to make the two plans at all comparable as to cost, to this sum of $270,000 should be added the cost of the fourth main, the use of which he anticipates, or say $221,000 (one-third of the estimated cost of his three mains), making a difference of $491,000 against his plan.

But the two plans are not yet comparable as to cost, and, in fact, they can not be so compared. To compare the cost of two systems of water supply, their capacities should be equal, or about equal. The limit of the capacity of Major Knight's plan of supply to the Howard University Reservoir is the capacity of four 48-inch mains. The capacity of the tunnel conduit under the same head of water is more than the capacity of fourteen 48-inch mains, for although the cross-sectional area of the tunnel (76.34 square feet, about) is only about six times the cross-sectional area (12.57 square feet, about) of a 48-inch main, the

capacity of flow of the tunnel is (and the difference is accounted for by friction) more than fourteen times the capacity of flow of a 48-inch main with the same head.

We therefore find that Major Knight's proposed system would cost nearly half a million of dollars more than the completion of the tunnel, while the capacity of the new line of works proposed by him is not one-third of the capacity of the tunnel.

Considering the necessity of duplicating the present aqueduct from Great Falls in the near future, by which means more than 100,000,000 gallons more of water per diem can be brought to the distributing reservoir, making the total capacity of supply from Great Falls to this reservoir more than 200,000,000 gallons per diem, the question of capacity of the means of supply from the distributing reservoir to the Howard University Reservoir is a most important one, for on the latter reservoir will depend the eastern half of the city, and all of the greater Washington which is to occupy the high land north of the city, and to which water must always be pumped probably (and this is contemplated by the District Commissioners), from the tunnel conduit if it be completed.

To go back to the accidents to which Major Knight states an aqueduct tunnel may be exposed, and to none of which, he says, our tunnel will be exposed, but nevertheless condemns the tunnel because "if any [accidents] occur, repairs would be difficult and require much time."

Of the dangers of accidents to aqueduct tunnels generally, mentioned by him, the only one worth considering in the case of our aqueduct tunnel is the danger of obstructions of the waterway by falls of rock from the roof. In the portions of the tunnel yet unlined this danger is to be guarded against by the completion of the brick lining, solidly backed by rubblestone or by concrete.

That this danger will then not exist in these portions, aggregating about one-fourth of the length of the tunnel, or in the three-fourths in which the lining was fraudulently done and the defects are to be made good, is shown by the following fact:

When Major Knight emptied the tunnel all parts of it below a line 54 feet above its lowest point had been under water for about six years and a half and the other parts exposed to air and seepage water during the same time (p. 3 of the copy of his report). During this long period the seams of the rock of the roof of the tunnel had been softened and the rock had been put in a condition that without doubt permitted all of it to fall that could fall or would ever fall, and yet it was found that the 3 miles of lining (about) had perfectly filled its main object; that is to say, it stopped and prevented from falling into the waterway, and without any injury to itself, all masses of rock that may have been detached from the roof of the tunnel during the six years that it was full of water, and, what is more important, at the time the tunnel was emptied last July.

It must be remembered in this connection that the arch had been weakened by the hundreds of holes cut through it by the Commission of experts of 1889, and that the rock masses, if any there were, that fell upon the arch probably fell through considerable distances (some of the cavities between the arch and the rock roof of the tunnel were found by the Commission of experts of 1889 to be as high as 6 and 8 feet) and with a momentum that tried the arch as it will never be tried again.

Where the tunnel has been completed as was originally contemplated—that is to say, where the spaces between the arched lining and the rock roof have been solidly filled with rubblestone masonry or with

concrete, the arched lining can never again be subjected to shocks. There may be at some places exterior pressures, but none that the arch will not be able to withstand. I am certain there will never be any heavy ones, and experience in lining the tunnel portions of my works of improvement at the Dalecarlia Reservoir, where the rock in many places is rotten and in all places "full of fissures" (in fact precisely the same kind of rock as the rock through which the aqueduct tunnel was driven), and where the lining was almost entirely similar to the lining of the aqueduct tunnel (except that it was done by honest day work and not by contract) leads me to the conclusion that pressures alone will never injure the lining of the aqueduct tunnel when the new portions have been solidly constructed and the defects in the old portions have been thoroughly made good.

In regard to time for repairs in case of accidents, although I agree with Major Knight in thinking that it is most improbable that any will occur, I may remark that the capacity of the two western reservoirs is about 340,000,000 gallons, of which, as Major Knight correctly says (p. 19), about 300,000,000 gallons are available. The capacity of the Howard University Reservoir is 300,000,000 gallons, making 600,000,000 gallons that will be available in the three reservoirs. *Without taking into account the daily supply from Great Falls, which no accident to the tunnel could interfere with*, this amount of water is equal to about twelve days' supply, and much more in case of an accident, for the use of water would then be restricted by the Commissioners of the District, as is now done in times of low water in the Potomac.

Major Knight's estimate of the time that would be required to empty the tunnel is about five days. Therefore, taking into consideration *only the amount of water stored in the reservoirs, and not considering at all the constant replenishing from Great Falls of the water drawn from the two western reservoirs*, there would be seven days (twenty-one days of eight hours) for repairs; and when we consider that in the case of an accident to the tunnel arrangements would at once be made by the District authorities for opening and closing, as may be required, the different connections between the principal mains that now supply the different parts of the city, so that Capitol Hill and other high areas that will depend on the Howard University Reservoir can then be supplied as now by the mains from the distributing reservoir; and when we consider also that when a short piece of 48-inch main is laid, as is contemplated, from the 48-inch by 48-inch Y now on the line of the 48-inch main at Rhode Island avenue and R street to the Howard University Reservoir, this reservoir can temporarily be supplied through the 48-inch main direct from the distributing reservoir, I think it improbable that there would be any suffering for want of water in the city during a repair to the tunnel in the improbable event of an accident to it, although there may be diminished pressures in the areas that will depend on the Howard University Reservoir.

Remarking further on Major Knight's proposed system, I think it would be wrong to take the water for the supply to the Howard University Reservoir from the Great Falls Aqueduct above its connection with the distributing reservoir. If the Potomac water is ever filtered (and there is a constant demand for it in the press and by citizens), wherever the filter beds may be placed, whether above the distributing reservoir on what is now private land or on the public land south of and adjoining the reservoir, the entire reservoir, or at least its lower division, should be used as a clear-water basin from which all the supply to the city, including the supply through the Howard University

Reservoir, will be drawn, as it can be if the tunnel be completed. Otherwise the water supplied to the Howard University Reservoir and distributed from it to Capitol Hill and all the eastern portions of the city would not be filtered water. The present size of the short by-conduit around the distributing reservoir should not be considered as a sufficient justification for Major Knight's proposed location of the head of supply to the Howard University Reservoir, for the reason that when the supply from Great Falls shall be increased this by-conduit should be replaced by a larger one.

In concluding this paper I may say that there is apparently no more reason for abandoning our aqueduct tunnel than there was for giving up the Croton Aqueduct tunnel by reason of the bad work of the same character as in our tunnel, but worse, that was found in it, which bad work, as I have before remarked, has so successfully been made good.

I append hereto an extract from a letter that I received from the late General Meigs in 1891 in which he expressed his views respecting the completion of the tunnel and which may be interesting to the Commission.

With great respect, I am, your obedient servant,

GEORGE H. ELLIOT,
Colonel of Engineers (Retired).

The COMMISSION OF EXPERTS ON INCREASE OF
WATER SUPPLY OF WASHINGTON, D. C.

EXTRACT FROM LETTER OF GEN. M. C. MEIGS.

WASHINGTON, D. C., *March 23, 1891.*

MY DEAR COLONEL: I am obliged for your report, but I am sorry to say that after I had, immediately on its arrival, hastily glanced at its principal heads and laid it on my desk for deliberate reading, it disappeared, and when I sought to take it up, the family aid was vainly called in in an attempt to recover it.

* * * * * * *

I also note that you were making arrangements to measure the daily outflow of water from the unfortunate tunnel, so badly managed in construction and so foolishly, it seems to me, abandoned.

So many small streams descend into natural rifts in the subsoil and reappear after traveling considerable distances, still being of considerable volume, that I do not think it likely that this tunnel, though not lined, is losing any great or fatal quantity of water. The creek itself flows for some 20 miles over the same formation and does not sink out of sight. The sand beds in the vicinage are able to furnish water by springs flowing at their outcrops, and the terrible threatening hole has not in a very wet season given vent to the disastrous floods over the town, apprehension of which seemed to me to be influencing our legislators when they discussed the measures to be taken to remedy in some degree the effects of the execution by contractors on this tunnel.

As even in New York, under the baleful influence of political engineering, the Croton Aqueduct has at length mended its leaky revetments and now pours into the great city an abundant supply of water, so I do not doubt that the day will come when, the panic of the day forgotten, the great bore, though located too low for economy, will be

completed and will give the capital an abundant supply of Potomac water.

* * * * * * *

Faithfully, your friend,

M. C. MEIGS.

Colonel ELLIOT,
United States Engineers.

REPORT OF MAJ. JOHN G. D. KNIGHT, CORPS OF ENGINEERS.

OFFICE OF THE WASHINGTON AQUEDUCT,
Washington, D. C., October 30, 1895.

GENERAL: An act of Congress approved March 2, 1895, required that—

There shall be prepared, upon careful investigation by the proper officer of the Government having the charge of the Washington Aqueduct and the water supply to the city of Washington, a full and detailed report, which shall be submitted to Congress on the first Monday in December, eighteen hundred and ninety-five, upon the feasibility and propriety of completing the tunnel conduit as now projected, the completion of the new reservoir, including its dam or any modifications to the same deemed necessary, and upon the results as to the supply of water to the city when said dam, the raising of the dam at the Great Falls, the conduit, and reservoir are completed. And if such officer and consulting engineer shall conclude that it is impracticable or too expensive to repair such tunnel conduit, then they shall report some plan for bringing increased water supply from the reservoir in Georgetown to Washington by pipes or otherwise.

Each separate item of the report shall be accompanied by a detailed estimate of the cost of the work required, and the necessary costs, not to exceed ten thousand dollars, connected with the inquiry and reports shall be defrayed from the appropriation for "increasing the water supply of Washington, District of Columbia:" *Provided*, That in the preparation of this report General Thomas L. Casey, United States Army, shall be associated with the proper officer of the Government in charge of the aqueduct as consulting engineer, and his signature shall be appended to said report in said capacity, and said report shall also be accompanied with the judgment of the Chief of Engineers and made to the Secretary of War, who shall transmit the same to Congress with his views thereon.

The present system of water supply of this city may be briefly described as follows: A dam crosses the Maryland and Virginia channels of the Potomac River and the interlying Conns Island, at Great Falls, about 14 miles above Rock Creek. A gravity conduit, 9 feet in diameter and 9 miles long, with a slope of 9 inches to the mile, conveys the Potomac water from immediately above this dam to Dalecarlia Reservoir, which crosses the boundary of the District of Columbia. A continuation of this conduit, nearly 2 miles long, conveys the water from the Dalecarlia to the distributing reservoir, which is about 1.75 miles from Rock Creek. Water is distributed from this reservoir by four pipes, 12, 30, 36, and 48 inches in diameter.

The storage capacity of these two reservoirs is about 340,000,000 gallons, and the daily consumption and use of water as measured June 25, 1895, was 47,182,681 gallons, or 170 gallons per head.

The present height of the dam at Great Falls is 3 feet below the crown of the mouth of the conduit. At lowest stages of the river the water is 6 inches higher than the dam. The dam is now being raised 2 feet 6 inches, so that when raised the mouth of the conduit will just be filled at the lowest stages of the river.

The work of increasing the water supply of this city was commenced pursuant to an act of Congress approved July 15, 1882, and included

(1) raising the dam in the Maryland Channel at the Great Falls to an elevation of 148 feet above mean high tide at the Washington Navy-Yard and its extension at that height across Conns Island and the Virginia Channel of the river; (2) a tunnel conduit, described later; (3) a reservoir, also described later, and (4) connecting this reservoir with the existing system of water mains by a new line of large mains. The relative location of the old and new reservoirs is shown on plate 2 of this report.

The dam was finished in August, 1886, and the new mains laid up to the site of the reservoir in 1885.

The tunnel conduit extends 20,696 feet in a straight line from the east end of the distributing reservoir to a new reservoir of about 300,000,000 gallons capacity, situated east of Howard University and at the southwest corner of the grounds of the Soldiers' Home. The cross section varies with the class of lining used, the minimum area of this section being 76.34 square feet, and its hydraulic radius 2.46 feet. The depth of the bottom of this conduit below the proposed hydraulic grade line varies from 74 to 175 feet.

The location of this work is shown on plate 1 and its longitudinal section on plate 2 of the report, on the test of the conduit to determine the amount of leakage, appended. Operations on the conduit were discontinued October 31, 1888, and the conduit then allowed to fill with water to the level of its possible exit at Rock Creek shaft. All parts of the conduit below a line 54 feet above its lowest point have been under water for about six years and a half, and other parts exposed to air and seepage water.

Plate 2, above mentioned, shows the parts of the tunnel which are lined. The east and west shafts are also lined. Work on the reservoir was discontinued October 31, 1887, when to complete this reservoir to the extent necessary for service the following additional work was necessary: A combined influent and effluent gatehouse, circulating conduits, and a keeper's dwelling were to be built, the side slopes of the reservoir in the vicinity of this gatehouse graded and paved, fences erected, and grounds finished.

The appropriations for carrying out the work inaugurated by the act of July 15, 1882, the expenditures under the same to the close of the fiscal year in which operations were suspended, and the unexpended balances of these appropriations June 30, 1889, eight months after that suspension, are given in the following table:

Act of—	Dam at Great Falls.			Tunnel conduit.			Reservoir.		Water mains.	Total.
	Completion and extension of dam.	Water rights and land at Great Falls.	Raising canal embankment.	Extension of Washington Aqueduct.	Land for same.	Pumping to prevent damage to tunnel by flooding.	Construction of reservoir.	Land for same.	Main connections.	
July 15, 1882	$145,151.00	$45,000.00	$12,300.00	$599,534.55	$51,370.00	.....	$431,273.75	$35,250.00	$165,400.00	$1,485,279.30
July 7, 1884	.....	.....	.....	.....	.....	.....	.....	87,500.00	.....	87,500.00
March 3, 1885	.....	.....	.....	.....	.....	.....	.....	87,500.00	.....	87,500.00
March 26, 1886	.....	.....	.....	.....	.....	$5,000.00	.....	.....	.....	5,000.00
August 4, 1886	.....	.....	.....	395,000.00	.....	.....	160,000.00	.....	.....	555,000.00
March 30, 1888	.....	.....	.....	355,000.00	.....	.....	.....	.....	.....	355,000.00
	145,151.00	45,000.00	12,300.00	1,349,534.55	51,370.00	5,000.00	591,273.75	210,250.00	165,400.00	2,575,279.30
Expended to July 1, 1889	140,485.48	729.20	12,300.00	1,073,293.31	26,439.51	5,000.00	507,026.40	209,465.67	163,410.82	2,138,150.39
Balance unexpended July 1, 1889	4,665.52	44,270.80	.....	276,241.24	24,930.49	.....	84,247.35	784.33	1,989.18	437,128.91

A joint committee instructed by a concurrent resolution of Congress of October 8, 1888, to investigate the work performed upon the Washington Aqueduct tunnel, and further instructed by a joint resolution approved October 19, 1888, submitted a report, in which it was stated—

> From the nature of the work, from the evidence taken, and from the report of the experts employed by the committee, the committee is of the opinion that it will cost probably $900,000 to put the tunnel in the condition in which it should be, mechanically, to carry the water from one reservoir to the other, and the committee thinks that when the work is put into this condition the dangers will be still great, as stated in the report of the expert engineers. These dangers may be stated to be—
>
> 1. The danger of percolation of water through the lining outward, causing a greater or less loss of supply at the distributing reservoir;
>
> 2. The constant danger of injury to property from the constant carrying of water outward into the surrounding rocks full of fissures, seams, and of soft and decomposing material and emerging somewhere in the city;
>
> 3. (As thought by some members of the committee) the danger, when there may be pressure from accidents or the emptying of the reservoirs, or at points where the ordinary pressure is less, of the water in the ground and surrounding rocks mixing with the water from the reservoir and thus polluting it;
>
> 4. The extreme difficulty of repair in case of any accident; and
>
> 5. The extreme difficulty of cleaning the tunnel and removing any sediment which in the long run is likely to accumulate in it.

The expert engineers referred to were Messrs. Joseph M. Wilson, of Philadelphia, Henry Flad, of St. Louis, Mo., and Frederick Graff, of Philadelphia, Pa., and were employed to investigate the technical and engineering subjects referred to the committee.

These objections to completing the tunnel conduit will be considered in order.

1. The danger of percolation outward.

The experts were of the opinion that if all of the work could and would be faithfully fulfilled in accordance with the later specifications under which the work was to have been prosecuted, which required backing by masonry laid in cement mortar, it would make the tunnel reasonably water-tight, but that it would not prevent all leakage absolutely.

This leakage would then be due to brick and cement being permeable to water. The results of several experiments were given to confirm this statement, one of which was made at the new Croton Reservoir, New York, when water under 36 feet head was found to percolate through 26 inches of brickwork and 4 feet of concrete.

But detached bricks or blocks of masonry may be used to determine the rate of percolation through them, and yet give results which will not apply to the same masonry when backed up by varying thicknesses of rock, even though this rock be more or less fissured and seamy. Experiments made on the Croton Aqueduct to determine the rate of percolation through brick coated with Portland cement indicated a total loss of 1,000,000 gallons in twenty-four hours. A set of gaugings, however, showed the total loss to be but 228,500 gallons in twenty-four hours, in a length of 7 miles of aqueduct.

The following extract from the report of Gen. James C. Duane to the New York Aqueduct Commission, of which he is president, is authority for the above statement, and also explains how percolation was guarded against on the new Croton Aqueduct, when the pressure was as much as 55 pounds to the square inch.

> This feature, i. e., the construction of the aqueduct for 7 miles under pressure, is a bold innovation. The rock in which the aqueduct is built can stand the pressure well, but masonry, such as is used in such structures, is porous, and rock of the kind found in that district is full of fissures; hence, percolation from the inside of the aqueduct into the surrounding ground was obviously anticipated. In view of the importance of rendering as water-tight as possible a masonry structure

which was to be subjected to a pressure of from a few feet to over 100 feet, experiments were made to determine what would be the best coating to apply to the interior brick surface for diminishing, if not arresting, percolation. Many substances were used; the tests were applied in the laboratory in the same condition of moisture and pressure as would obtain in the work, and after many months of trial it was established that the most effectual coating consisted of a light wash of Portland cement of good quality applied three times in succession with such brushes as are ordinarily used for whitewashing. That treatment was applied to the part of the aqueduct just mentioned, except at points where the surface was much above the hydraulic line of pressure, and the result was very satisfactory.

According to the results of experiments made on the flat surface of a brick saturated with water, thus treated, a total percolation of over 1,000,000 gallons per twenty-four hours could have been expected.[1]

A set of gaugings made to establish the loss of water thus incurred showed that the total loss due to outward percolation for the 7 miles of aqueduct under pressure was 228,500 gallons per twenty-four hours; a very insignificant quantity, especially when considering that the natural percolation into the upper 25 miles of the aqueduct adds an average of 4,000,000 gallons per day to the supply drawn from Croton River.

The construction of the conduit is not without instruction as to the danger to be apprehended from percolation.

In 1886, when an additional appropriation for increasing the water supply was under consideration by a subcommittee of the House Committee on Appropriations, Capt. T. W. Symons, Corps of Engineers, appeared before the subcommittee and stated that about 100 feet of the tunnel driven from the west shaft in very rotten rock was lined at a depth of between 80 and 90 feet below the surface. Then it was allowed to fill with water, and it remained filled with water about three months, until the Foundry Branch heading reached it and thus drained off the water. The lining of the shaft consisted of 12 inches of brick, 18 inches of concrete, and dry stone packing outside of that. The arch and side walls of the tunnel were brick, with 3-brick rings, the invert with a 1-brick ring; part of this lining was backed with dry stone, part with rubble masonry. The end of the heading of course abutted against the natural rock. The maximum pressure to which this structure was subjected was about 35 pounds to the square inch.

In this vicinity there seems to be no danger of percolation.

When the tunnel was driven westward from Champlain avenue shaft, at least 2,000 feet of this work was through mica-schist, much of which disintegrated rapidly on exposure to the air and moisture. Within a few months after the tunnel had been excavated through this section five wells in this vicinity went dry. Their locations relative to the tunnel are shown in elevation and plan on plate 1 of this report. It will be seen that the bottoms of three of these wells are below the hydraulic grade line, while those of two are on this line. The bottoms of some of the wells being at the hydraulic grade line demonstrates the existence of a body of ground water above that line; the fact of the wells going dry demonstrates a connection between this water and the line of the tunnel. It therefore follows that in this vicinity the ground water will exert a counter pressure on the masonry lining of the tunnel equal to or greater than the internal pressure. The maximum internal pressure on the tunnel in this vicinity will be only about 5 pounds to the square inch greater than the maximum pressure to which the new Croton Aqueduct is subjected. With proper backing and treatment with cement wash of the face of the brick lining, it is believed that the conduit through this section would be made reasonably water-tight.

Ground water is found in the vicinity of the new reservoir at distances of from 8 to 32 feet below the hydraulic grade line.

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[1] The tests were made by Assistant Engineer A. W. Hale, who described them in a paper published in the Engineering News of January 3 and 10, 1891.

When an attempt was made to determine the amount of leakage in the unfinished conduit, seepage water had risen in the various shafts to about 60 feet below the hydraulic grade line. The east and Champlain avenue shafts are very wet, and it would appear that the greater part of this water comes from east of Rock Creek.

The existence of ground water about the western portion of the conduit is established by water standing in the opening of Foundry Branch shaft above the masonry closure of this shaft, and at a level of only 80 feet below the hydraulic grade line. Furthermore, all of that portion of the conduit, 6,445 feet in length, west of a point 2,400 feet west of Rock Creek shaft, will be subjected to an internal pressure less than 55 pounds to the square inch. These facts show that the west shaft and the rock about it are reasonably water-tight; that for about 6,500 feet from this shaft the tunnel will be subjected to an external pressure at various points of from 16 to 20 pounds, and to an internal pressure of less than 55 pounds to the square inch; that east of Rock Creek the tunnel has been subjected to an external pressure of from 30 to 40 pounds to the square inch, and there is evidence of ground water from the tunnel up to and above the hydraulic grade line, which, when it bears against the tunnel lining, will neutralize the internal pressure.

On plate 1 of the appendix are shown the two contours 85 and 145 feet above the datum line. Proceeding from the higher contour (145) to the lower (85) all that portion of the map lying between the 85-foot contours, or beyond either where but one is met, corresponds to portions of the city lying below the level at which the water has already stood in the tunnel shafts. Between the 145-foot and 85-foot contours is represented all the additional portion of the city lying above the level of the latter contour and below the hydraulic grade line of the conduit when in service.

The portion of the tunnel between the distributing reservoir and Thirty-fourth street will be under an internal pressure of less than 55 pounds to the square inch. Where Columbia road crosses the line of the tunnel the existence of ground water above the hydraulic grade line has been proved; at the Champlain avenue and east shafts and at the Howard University Reservoir much ground water exists. This same ground water will partially counterbalance the internal pressure and reduce it to below the pressure to which 7 miles of the new Croton Aqueduct is now subjected.

Near Rock Creek a special structure seems called for. The test for leakage was terminated by water escaping in mass into the bed of the creek, which, where it crosses the tunnel, is only about 32 feet above its roof. About 30 feet of rock lies between the bed of the creek and the roof, but it must be badly fissured and seamed. The tunnel under the creek for a length of 180 feet is not lined. While the test was in progress the masonry closure of Rock Creek shaft and the rock to the east of this shaft and to the west of the creek was subjected to a hydraulic pressure of 28 pounds to the square inch. As before stated, the failure to resist this pressure was at the bed of the creek, along its edges. This part of the tunnel should have the regular masonry lining and backing reenforced by a metal lining, which might be a riveted steel shell one-half inch in thickness, placed as close to the masonry as possible, at most 6 inches from it, the space between the two thoroughly grouted. The metal lining should extend at least 750 feet to the east, and 1,250 feet to the west; the roof of the metal lining at the east end would be 130 feet below the natural surface and at the west end 110 feet.

The conclusion is that if the tunnel conduit be completed according to the latest plans, with brick lining and invert thoroughly backed

with rubble masonry, and the lining treated with washes of Portland cement, no danger of a material loss of supply is to be anticipated from percolation through those portions of it removed from Rock Creek; and if a special metal lining be used in the vicinity of Rock Creek shaft, like danger will be averted here.

2. *The consequent danger of injury to property from the constant carrying of water outward into the surrounding rocks full of fissures, seams, and of soft and decomposing material and emerging somewhere in the city.*

The existence of ground water along the line of the tunnel is established. Its rate of flow into the tunnel, when the water stood in Rock Creek shaft about 155 feet below the hydraulic grade line, was found to be about 277,000 gallons in twenty-four hours. Before the tunnel was excavated this water must have circulated through natural channels without emerging in the city in quantity requiring special structures for its control. The level of this ground water is generally below the hydraulic grade line and the pressure tending to cause percolation outward will not be wholly counterbalanced. The ground water will be reenforced by water escaping from the tunnel; the combined amount will not force new channels of escape unless the old are too restricted for its free movement. The safeguard against such new channels lies in the want of compactness, which is the general characteristic of the rock through which the tunnel has been pierced. This will tend to prevent a concentration of the water escaping. Should the 4 miles of tunnel allow water to escape at the same time rate as that of its escape from the 7 miles of the new Croton Aqueduct, and should the actual escape be limited to but 1 mile of the tunnel, the rate would be but 2 gallons per linear foot of this mile of tunnel per hour; and these 2 gallons would have the entire periphery of the tunnel in which to escape.

It is not probable that water escaping from the tunnel will emerge in dangerous quantities somewhere in the city, however impossible it may be to prove that it will not.

3. *The danger, when there may be pressure from accidents or the emptying of the reservoirs or at points where the ordinary pressure is less, of the water in the ground and surrounding rocks mixing with the water from the reservoir and thus polluting it.*

Preliminary to testing the tunnel conduit for leakage its different sections were emptied of water. This water had seeped in since March 28, 1889, but as the mouth of Rock Creek shaft was open, it had been prevented from rising above the level of about 25 feet, or about 50 feet above the lowest point of the tunnel. From the longitudinal section shown on plate 2 of the appendix, it will be seen that three-quarters of the section west of Rock Creek is above the 25-foot level, and was therefore not filled, and hence offered little obstruction to continued seepage, and a descent in the Champlain avenue and east shafts readily proved the continuance of the flow of seepage water through the tunnel east of Rock Creek.

The Commissioners of the District of Columbia, in kind compliance with the request of this office, caused the water pumped from the tunnel from time to time and water taken from the Howard University Reservoir to be analyzed by the inspector of asphalts and cement, and also, independently, by the chemist of the health department. The results of these analyses are consolidated in the table below and their notes which appear on the blank forms of reports of examinations of samples made by the inspector of asphalts and cements:

Results of chemical examination of water expressed in parts per million, made by (a) Mr. A. W. Dow, inspector of asphalts and cements, and (b) Mr. J. D. Hird, chemist.

Shaft from which taken.	Received by inspector or chemist.	Odor.	Color.	Condition.	Solid residue, 100° C.	Loss on ignition.	Nitrogen as—				Oxygen consumed, 100° C.	Chlorine.	Remarks.
							Free and saline ammonia.	Albuminoid ammonia.	Nitrites.	Nitrates.			
	1895.												
Rock Creek *b*	May 2						.03	.045	.0005	1.3	.84	17	The analysis shows this to be good water.
Do. *a*	May 2	None	Clear		211	56	.027	.035	Trace.	2.5	.90	17	This water is quite pure, showing no signs of sewage or pollution.
Do. *b*	May 11	Odorless.	Colorless	Slight amount of matter in suspension.	194		.0246	.0222	.0005	1.7	.96	18	Nitrogen in the free and albuminoid, previous analysis as ammonia. The analysis does not differ materially from my previous analysis, and still shows the same to be in very good condition.
Rock Creek, bottom of shaft. *a*	May 14	None	Cloudy		235	65	.038	.085	.002		1.90	19	This shows no evidence of being polluted, but is not as good as first sample before shaft was empty.
Rock Creek *b*	May 14			Cloudy	245	80	.04	.088	.002	2	1.92	19	The analysis shows the water to be in worse condition than my previous analysis, but at the same time in good condition considering the circumstances. It might still be regarded as passable.
Champlain avenue, 15 feet above bottom. *a*	May 16		Slightly cloudy.		273	118	.022	.063	Trace.	1.30	2.50	22.50	This water shows no evidence of contamination.
Champlain avenue *b*	May 16			Slightly cloudy			.022	.067	Trace.	1.3	2.52	22	The analysis shows the water to be in fair condition.
Foundry Branch *b*	May 20			do	138	58	.0016	.0362	Faint trace.	1.5	1.12	8	The analysis shows this to be very good water.
Foundry Branch, 11 feet above bottom. *a*	May 20	None	Slightly cloudy.		202	99	.0016	.039	Very slight trace.		1.40	8.50	Very pure water.
Foundry Branch, bottom of shaft. *b*	May 24			Slightly cloudy	162	70	.09	.054	.004	1.5	2.2	8	The analysis shows this sample of water to be in a worse condition than any of the previous ones.

Results of chemical examination of water expressed in parts per million, made by (a) Mr. A. W. Dow, inspector of asphalts and cements, and (b) Mr. J. D. Hird, chemist—Continued.

Shaft from which taken.	Received by inspector or chemist.	Odor.	Color.	Condition.	Solid residue, 100° C.	Loss on ignition.	Nitrogen as—				Oxygen consumed, 100° C.	Chlorine.	Remarks.
							Free and saline ammonia.	Albuminoid ammonia.	Nitrites.	Nitrates.			
	1895.												
Howard University *a*	May 28	None	Slightly cloudy.		101	44	.015	.043	.0025	1.50	1.60	5.50	Pure water.
Do *b*	May 28			Organic matter in suspension.	92	38	.045	.185	.0015	1.4	1.68	6	The organic matter in this sample is somewhat higher than in the other samples.
Champlain avenue, bottom of shaft. *b*	June 5			Organic and inorganic matter in suspension.	230	97	.015	.0865	.0005	1	3.04	21	The analysis shows the water to be good, considering the location from which it was taken.
Do *a*	June 5	None	Cloudy		308	142	.026	.043	.002	7.50	2.70	20	Appears like pure water, with vegetable matter, old wood, etc.
From stream flowing into Howard University Reservoir. *a*	Oct. 1	None	Clear		150	62	.008	.004	None.	4.50	1.00	19	This water shows no signs of pollution from any source, and is a good, potable water.

NOTES.

In judging the character of a water the evidence derived from the chemical analysis should be used only in connection with the evidence as to the source, environment, and history of the water, without which no analysis can be properly interpreted, and may lead to very erroneous conclusions.

It is impossible to fix standards of purity beyond which amount the presence of any substance shall condemn any water. For every locality standards of purity must be established by a study of the waters from that locality, and in the interpretation of an analysis such standards must be taken into consideration in connection with a study of the surroundings or source of the water, natural drainage levels, proximity of privies, sewers, and the like, previous or old contamination of the soil, etc.

Gross pollution is often revealed at once by chemical analysis, and in such a case immediate condemnation can be made on the chemical evidence alone. Sudden changes in a water previously examined, and whose normal character is known, also justify condemnation.

For a good potable water the following figures may be considered the maximum amount allowable of the various determinations for the wells in the District of Columbia:

	Parts per million.
Total solids	500
Nitrogen as free ammonia	.020
Nitrogen as albuminoid ammonia	.080
Nitrogen as nitrites	Trace.
Nitrogen as nitrates	6
Oxygen consumed	2
Chlorine[1]	30

The nature of the evidence derived from the various determinations may be very briefly stated as follows:

Color, odor, and condition.—The best water should be free from odor and color, and should be bright, although many of the most highly contaminated waters are brighest.

Solids.—Entirely dependent on the source of the water; should not be far above normal in its class. Springs and rivers contain less than well waters, and cistern or rain waters least of all.

Nitrogen as free from ammonia is generally the product of putrefaction and decomposition of organic matter, and is evidence of contamination in all cases, except very deep wells and rain water.

Nitrogen as albuminoid ammonia points to the presence of nitrogenous organic matter not decomposed, which may be either of animal or vegetable origin. When the ammonia is evolved slowly by alkaline permanganate, it is of recent origin, of animal derivation, with low oxygen consumed and high chlorine; of vegetable if the oxygen consumed is high and chlorine low. When rapidly evolved it shows decomposing organic matter.

Nitrogen as nitrites is indicative of active putrefactive change, except in deep waters. Its presence in more than traces is condemnatory unless the water is otherwise quite clean.

Nitrogen as nitrates is evidence of the final oxidation of organic matter, and points to previous contamination, at present not dangerous unless present in gross amount, if nitrites are absent and the water otherwise clean.

Oxygen-consuming power.—This should not be high, but its value is chiefly in connection with the interpretation of other results.

Chlorine.—The proportion in waters of any locality is fairly constant. When it exceeds the average it must be determined that its origin is not in sewage or animal excretions, in which it is a large constituent and a source of which it is a strong indication.

Dependence should not be placed on any one of these determinations alone, nor in all of them together, except when studied in their relations to each other in connection with the source, environment, and history of the water.

Judging the reports by these notes, nearly all samples were of good potable water. Where they failed to come well up to the standard for such water, the samples were as a rule taken from the bottom drainage of the tunnel.

As wells were drained by the construction of the tunnel, the seepage water must have come in part from water near the surface, as well as from far below it.

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[1] If all the other determinations are low, the chlorine may go as high as 70 in some wells without being suspicious.

As the development of the sewers and paved streets of the District progresses, the possibility of pollution of ground water will diminish, and hence of the pollution of water flowing through the conduit.

The analyses above tabulated show that there is now no danger of pollution of conduit water by ground water; and it may be affirmed that this danger will not arise from any natural cause in future.

4. The extreme difficulty of repair in case of any accident.

All water above the level of the mouth of Rock Creek shaft can readily be discharged into that creek; but the tunnel below this level, when completed, will hold 9,500,000 gallons; of this quantity only 5,000,000 can be pumped out at Rock Creek shaft, with an extreme lift of about 45 feet. It would be necessary to pump about 3,500,000 from the Champlain avenue and east shafts, with extreme lifts of 127 and 128 feet, and 1,000,000 from Foundry Branch shaft, with maximum lift of 65 feet.

About 9,500,000 gallons of water must then be taken from the tunnel at four different shafts before the tunnel would be open to entire inspection from end to end. With boilers, engines, and buckets, of considerable size, this might be done in five days.

After the water had been removed, there would be all the difficulty of repairs, which would be occasioned by access for men and materials only by means of shafts from a mile to a mile and a quarter apart.

There can be no doubt that were repairs needed they could be executed only with extreme difficulty.

The ordinary dangers to which a tunnel aqueduct under internal pressure is exposed are the falling of rock or earth from the roof, the forcing in of the sides, and the opening of cracks in the lining, occasioned by internal pressure. The first two may be guarded against by suitable lining, including invert; the opening of cracks in the lining must be prevented by the resistance of the rock walls exerted through a solid masonry backing of the lining.

The construction of the new Croton Aqueduct has proved satisfactory work of this character to be possible, even when the original work was defective. The amount of defective work in that aqueduct thus made good may be to some extent realized when it is known that 384,700 barrels of cement were used in its repair for grouting alone, exclusive of the cement used for the reconstruction of defective or missing masonry by hand. It is difficult to conceive of any accident (other than that which an earthquake might occasion) to which the tunnel would be exposed, which could not be properly guarded against during the completion of the work. Yet should any occur, repairs would be difficult and require much time.

5. The extreme difficulty of cleaning the tunnel and removing any sediment which in the long run is likely to accumulate in it.

There can be no doubt of the extreme difficulty which will attend efforts to clean the tunnel; this is manifest after considering the difficulty of repair in case of accident; but is any extensive deposit likely to accumulate in the conduit?

It has been given in evidence that "the amount of sediment carried in the water as it leaves the distributing reservoir is so slight as to be almost incalculable. It is a fact that during the whole thirty years almost that that reservoir has been in use there has been less than a foot of sediment deposited in the bottom of it, as near as we can tell. I have made a good many experiments, putting the water away in bot-

tles when it was at its worst, and found it took almost two weeks to settle completely when in a state of perfect rest; and as I knew the water would run through the tunnel in about a day, I reached the conclusion that there would be very little sediment deposited in the tunnel."

Soundings were made in the lower basin of the distributing reservoir December 3, 1888, after it had been in use twenty-four and one-half years, and the average depth of deposit found to be 0.36 of a foot. About a year later, the bottom of the upper division was drained and a deposit of about 9 inches of clayey sediment found there.

No record of any inspection of the 9-foot conduit during a period of nearly thirty years after the Potomac water first commenced to run through it is to be found. But it was inspected September, 1891, and large accumulations of deposit found above the Dalecarlia Reservoir varying in depth from 10 inches to 4 feet, the greater depth being in places of larger cross section than the conduit, tunnels especially. However, in the conduit between that reservoir and the receiving reservoir, the least depth of deposit was found, averaging in the lower section but about 6 inches.

During the month of August, 1895, after all drainage waters formerly entering into the Dalecarlia Reservoir had been intercepted, that reservoir was put in service, and all water now distributed flows through its length, a distance of about three-quarters of a mile. In the following month, the Potomac River became extremely muddy and remained so at Great Falls for five days.

By the time the water reached the effluent gatehouse of the distributing reservoir, after its passage through 11 miles of conduit and two reservoirs, it was so clear as to occasion no public comment. The apparatus for determining the degrees of clearness consists of a metallic tube with glass ends, which is filled with the water under examination. The distance at which a ball immersed in the water can be seen from one of the ends is noted. When it can be seen at a distance of from 22 to 36 inches, inclusive, the water is considered clear; from 15 to 21, slightly turbid; from 8 to 14, turbid; and from 0 to 7 inches, very turbid.

The recorded condition of the water from September 6 to 21, inclusive, is as follows:

	Great Falls.	Dalecarlia influent.	Reservoir effluent.	Distributing influent.	Reservoir effluent.
September 6	26	36	36	36	36
7	16	36	36	36	36
8	2	4	36	36	36
9	2	2	36	36	36
10	2	1	16	36	36
11	2	3	4	21	36
12	6	8	6	13	22
13	16	16	8	9	18
14	32	32	12	11	18
15	36	36	14	16	17
16	36	36	8	15	17
17	36	36	10	18	18
18	36	36	14	22	22
19	36	36	30	27	25
20	36	36	36	36	31
21	36	36	36	36	36

The consolidated record of the condition of the water at Great Falls and at the distributing reservoir during the five years ending June 30,

1895, is as follows, the numbers expressing the number of days when the condition of the water was as shown at the heads of the columns:

	Clear.	Slightly turbid.	Turbid.	Very turbid.
Great Falls	840	143	269	574
Distributing reservoir	1,033	150	298	345

During the period covered by this record the Dalecarlia Reservoir was not in service. It was disconnected in the month of April, 1888. Prior to that time when in use it received the drainage from the branches flowing into that reservoir, and hence to the sedimentary material of the Potomac was added that carried by these branches. But the increase in the deposit of sediment, resulting from using both reservoirs instead of one, may be noted by comparing the preceding table with the following, giving the consolidated record of the clearness of the water for five years ending June 30, 1887.

	Clear.	Slightly turbid.	Turbid.	Very turbid.
Great Falls	759	139	221	707
Distributing reservoir	1,151	128	190	357

Since the improvement of the Dalecarlia Reservoir, by excluding the branches formerly flowing into it, only sedimentary material from the Potomac reaches that reservoir, and hereafter there will be a marked improvement in the condition of water at the distributing reservoir over that shown even in the last table.

Water has been flowing from the Great Falls through both reservoirs to the city since the afternoon of July 28, 1895.

The record of the condition of the water from that date to the end of September, 1895, is:

	Clear.	Slightly turbid.	Turbid.	Very turbid.
Great Falls	54	5	.....	5
Distributing reservoir	58	6	.....	.....

This last record is, of course, meager, but taken with what precedes, the fact is established that the greater deposits of sediment have been, and will be, in the conduits between the Great Falls and the distributing reservoir, and principally above the Dalecarlia Reservoir; in other words, in parts of the system from which they may be removed without difficulty.

I therefore reach the same conclusion as that quoted in the evidence above, "that there would be very little sediment deposited in the tunnel." *The sediment likely to accumulate in it will not be enough to furnish an objection to the use of the tunnel conduit.* The tunnel conduit is intended to discharge into the Howard University Reservoir, the capacity of which is 300,000,000 gallons. The joint capacity of the other reservoirs in use is 341,000,000 gallons, but not more than 300,000,000 gallons of this is available, or about six days' supply at the present rate of consumption.

The daily discharge of the Potomac River at Great Falls in the unusu-

ally low stage of 1856, was about fourteen times the present rate of daily consumption, so that no increase of storage facilities to tide over periods of drought is demanded. In eighteen years the population of the District will probably be double the present, and existing reservoirs would only afford a reserve for three days' supply. At present there is but one line of supply to the distributing reservoir. Eventually this will of necessity be duplicated. But even then, as now, it is not prudent to have a supply for from six to three days only available in case of intentional or accidental interruptions of service.

The completion of the new reservoir is a necessity. When completed and filled the District will have a safe and pure additional reserve supply. This assertion is supported by reports here quoted: The first is that of a Board of Officers of the Corps of Engineers, United States Army, dated July 24, 1885; the other is an extract from a report dated January 31, 1889, of the expert engineer.

[Report of the Board of Engineers convened by Special Orders, No. 107, Headquarters Corps of Engineers, July 15, 1885.]

WASHINGTON, D. C., *July 24, 1885.*

The Board having carefully examined into the questions submitted for its consideration, is of opinion that the present project for diverting the flow of the three small streams that pass into and across the site of the reservoir should be modified as recommended by Major Lydecker, in his letter to the Chief of Engineers, dated June 29, 1885, viz: by substituting closed culverts or sewers, with connecting gutters above, to intercept all surface flow, for the iron pipes imbedded in the bottom of the reservoir, and for the open flood channels. Sufficient reason for this course is set forth in Major Lydecker's letter, and the Board concurs in the views expressed therein; but in addition to what he states it is to be noted that the iron pipes would be inaccessible at all times when there is water in the reservoir, and could neither be examined nor repaired, in case of accident, until after emptying the reservior.

The open flood channels, paved with rough blocks of stone, laid dry, would require frequent repairs, and become obstructed by the growth of plants and accumulation of dirt, whereby the free flow of any small volume of water would be checked.

With reference to the probable security of storage and purity of supply in the reservoir, the Board sees no valid reason for mistrust or want of confidence in the plans and methods that are, or are to be, followed by the officer in charge of the work:

First. The streams that now drain the tributary valleys, carrying sewage in their waters to and through the site of the reservoir, will be entirely cut off from entering it.

Second. Such portions of the bottom of the reservoir as have been exposed to the flow of the tributary streams will be excavated and the excavation filled with clay or other suitable material.

Third. A portion of the bottom on the east side, where a bed of carbonized vegetable matter has been uncovered, will also be excavated to a depth of 2 or 3 feet, and the excavation filled with clay thoroughly puddled. And generally this will be done wherever it is necessary.

Fourth. All around the side slopes and underneath the stone revetment will be a lining of puddled clay, wherever necessary, to prevent seepage into or escape of water from the basin.

Fifth. An open, paved gutter over the closed culverts, and surrounding the entire basin, will intercept all surface drainage flowing toward the reservoir.

Sixth. To establish a circulation of water through the reservoir the supply, as it emerges from the tunnel, will be conveyed through conduits built on the bottom of the reservoir to the three corners most remote from the effluent gatehouse. In this way the water will be received at the northwest, northeast, and southeast corners of the reservoir, and have its outflow into the mains at the extreme southwest corner. This constant motion and the disturbance of the water surface by winds will prevent stagnation and serve to keep the water in good condition.

Seventh. The stone riprap on the banks will be carried to a sufficient depth below the water surface to prevent the growth of plants and all wash of the side slopes due to wave action.

It is the opinion of the Board that the modifications herein recommended, and

methods of construction outlined as above, all as proposed by the officer in charge of the work, will properly secure the storage and purity of supply in this reservoir.

THOMAS LINCOLN CASEY,
Colonel, Corps of Engineers.
WM. P. CRAIGHILL,
Lieut. Col. of Engineers.
G. J. LYDECKER,
Major of Engineers.

[Extract from report of expert engineers, dated January 31, 1889.]

THE NEW RESERVOIR.

13. *Its capacity.*—The reports of the engineers give the capacity of the reservoir at 300,000,000 gallons. The Board has not had the time to verify this by measurements, but no doubt it is correct.

14. *Its permanent security as now constructed.*—From information obtained from the office of the engineer, and from collateral testimony, the Board learns that the dam at its south end, the most important part of the work, has been constructed in accordance with the usual modern practice with such work, namely, by the excavation of a proper trench, extending through the whole length of the dam, down below the natural surface, until reliable ground was obtained. This was then refilled with clay in thin layers and rolled with heavy grooved rollers, the puddle wall thus formed being carried up until a height was reached a few feet above the water level of the reservoir.

The inside and outside prisms of the embankment were raised at the same time, the former being built of selected material and the latter of the same, with the addition of surplus earth, making a dam of unusual thickness.

Plate 4 (not printed) shows cross section of the dam.

The side slopes of the reservoir are well paved upon small broken stones.

Your Board is therefore of the opinion that all usual precautions have been observed, if the work has been faithfully done (and there are no reasons to believe that it has not), and that when the work is entirely completed the reservoir will be safe and can be fully relied upon to resist all the usual vicissitudes to which such work may be exposed.

15. *The amount of leakage likely to occur therein and the loss of water from filtration.*—There is no reason to expect leakage from the reservoir, and therefore no loss of water is to be apprehended.

The bottom of the reservoir in great part consists of good material, the surface having been removed. Where pockets of sand or vegetable matter were found the material was excavated and replaced with clay. In the northern part of the reservoir it was discovered that if the excavation were carried to the full depth, as at first intended, quicksand would be uncovered. To prevent this the grade was raised, so as to leave the sand well covered with good material.

The pipes running through the dam appear to be properly secured by concrete filling and collar walls as shown by fig. 2, pl. 4 (not printed).

The pipe that leads from the back of the dam to the Congressional Spring is not laid in concrete and might therefore cause some leakage if it should be broken. To prevent any damage from this source it would be well to replace it by new pipe laid in concrete.

16. *The possibilities of the water being affected by impurities from infiltration or otherwise.*—The storm water from the surrounding country is intercepted by a sewer on each side of ample capacity for this service and for carrying, in addition, the sewage from the Soldiers' Home and from other sources, which may be delivered in that direction.

If the work be completed in accordance with the present plans the road around the reservoir bank will slope so as to drain the surface water away from the reservoir, and at the same time form an open gutter for any excess of water that may come to the sewer. None of the contents of the sewers could, therefore, reach the reservoir, even if they were overcharged during extraordinary storms.

To make this reservoir perfectly safe against infiltration all of the porous area in its northern part should be covered with clay at least two feet deep, thoroughly rolled with grooved rollers, in the same manner as the core of the dam was constructed.

* * * * * * *

All of which is repectfully submitted.

JOS. M. WILSON,
HENRY FLAD,
FREDC. GRAFF,
Board of Expert Engineers.

In the latter report reference is made to infiltration in the northern part of the Howard University Reservoir. In this part water now enters in sufficient quantities to form a small steadily flowing stream. From this stream water was taken. The report of its analysis, given in the table above, concludes with the statement, "This water shows no signs of pollution from any source and is a good potable water."

Both Boards believed that there would be no reason to expect leakage from the reservoir. The reports of the construction of the reservoir and dam submitted in 1884 and 1885 by Capt. Thomas W. Symons, Corps of Engineers, justify the opinions of the Board; and additional assurance as to the safety of the reservoir for storage purpose is derived from borings recently made along the foot of the outer slope of the dam and over the bottom of the reservoir.

In the northern end of the reservoir there are beds of quicksand. Some borings in previous years carried to about 38 feet below the proposed water surface of the reservoir were entirely in quicksand. But many others, made both then and recently, reached clay. It is thought that this material is in pockets, and characterizes only that portion of the bottom of the reservoir which is north of a line about 600 feet north of the nearer end of a dam, which portion lies in a basin. Of the high ground bounding this basin to the west, north, and east, the least horizontal thickness at water level is to the westward, and is 1,600 feet. Infiltration rather than leakage is to be anticipated through these deposits, and in the extract of the report of the expert engineers above quoted it is stated that a covering of clay at least 2 feet deep, thoroughly rolled with grooved rollers in the same manner as the core of the dam was constructed, should be applied to make the reservoir perfectly safe against all of the porous area in its northern part. When this is done it is believed that the Howard University Reservoir will be safe for storage purposes. It is now safe against pollution of its waters by infiltration of other water.

The act quoted requires report upon the results as to the supply of water to the city when said dam, the raising of the dam at the Great Falls, the conduit, and reservoir are completed.

When the Great Falls Dam has been raised 2½ feet, which work is now in progress, the mouth of the conduit will be full at low stages of the river. The discharge of the conduit will increase as the water is lowered in the Dalecarlia Reservoir until the crown of the inlet of the conduit at that reservoir is uncovered. When this is the case, the water then will be 7.23 feet lower than at Great Falls, and the discharge of the 9-foot conduit, 7 miles long, will be about 75,000,000 gallons in twenty-four hours, its maximum at low stages of the river.

This reservoir is connected with the distributing reservoir by 10,150 feet of conduit, also 9 feet in diameter. Water flowing through this conduit must have the same rate of fall as the 9-foot conduit in order that the discharge into the distributing reservoir may be at the same maximum rate of 75,000,000 gallons in twenty-four hours. This requires a fall of 1.55 feet between the two reservoirs.

The distributing reservoir is connected with the Howard University Reservoir by the incomplete tunnel conduit, having a length of about 20,700 feet, a minimum hydraulic radius, when complete, of 2.46 feet, and a minimum cross section of 76.34 square feet. A fall of 1.03 feet from the distributing to the Howard University Reservoir will correspond to a discharge into the latter of 54,000,000 gallons. This discharge is not, of course, the maximum discharge of the tunnel conduit. If these different falls be reduced, the discharge will be reduced. With

the present rate of consumption, the falls may be reduced; but in eighteen years the consumption will at least equal, and probably exceed, the maximum discharge given.

Temporary relief would then be had by giving to the dam at Great Falls additional height; but more permanent relief could only be afforded by an additional conduit from Great Falls to the Dalecarlia Reservoir and thence to the distributing reservoir. It will be a wise precaution to complete this additional conduit by 1910; and the preliminary studies should be entered upon immediately.

If the discharges given are realized, they can only be at the expense of the storage capacities of the different reservoirs, for they correspond to a loss of 2.73 feet of water in the Dalecarlia Reservoir, of 3.78 feet in the distributing, and of 2.96 feet in the new, or jointly to a loss of storage capacity of about 100,000,000 gallons.

The direct result of completing the tunnel conduit would be that a daily supply of about 50,000,000 gallons of water could be stored in the Howard University Reservoir ready for distribution at a point 2 miles from the Capitol, while the present distributing reservoir is 4 miles therefrom. It is difficult to state with exactness what will be the result in different sections of the city.

Water is delivered at different points at pressures which represent the theoretical elevation above the point of delivery to which the water would rise. Adding this elevation to the elevation of the point above the city datum, we have the theoretical elevation above that datum to which the water would rise. Subtracting this elevation from the elevation of the surface of the water in the reservoir above the same datum, we have the so-called head. Dividing this by the length of pipe in miles from the reservoir to the point of delivery, the rate of head per mile is obtained.

The shorter this length of connecting pipe the less this head, or the greater the elevation at which the water would be delivered. The head remaining the same, if the pipe be shortened, the quantity delivered will vary with the square root of the rate of head per mile.

Other conditions than those mentioned not being varied, these two laws would serve to determine results as to the supply of water which might be expected.

Two applications of the first law follow. August 8, 1895, the pressure at East Capitol and Second streets corresponded to an elevation of water of 125.34 feet above datum, or 18.66 feet lower than the water at the reservoir. With all other conditions the same, connection with the Howard University Reservoir, instead of with the old, would have resulted in a pressure corresponding to an elevation of about 134.7 feet, or 9.3 lower than the water in the Howard University Reservoir.

On the same date the pressure at L street and New Jersey avenue corresponded to an elevation 35 feet lower than the water at the reservoir. With all other conditions the same, connection with the Howard University Reservoir would have resulted in a pressure corresponding to an elevation but 12 feet lower than the water at the reservoir. In the one case water might be carried 9.3 feet or one story higher than at present; in the other 23 feet or two stories.

But these illustrations can not be accepted as definite indications of the results to be expected. By various crosses connecting the different larger mains and the valves controlling these, pressures are varied from time to time. Within two months pressures at the same point have varied by an amount corresponding to an elevation of 12 feet.

The second law may be applied as follows: The distance from the

Capitol to the old reservoir is about 4 miles; to the Howard University about 2 miles. The rate of head per mile in the first case last August was about 5 feet; had connection been made with the Howard University Reservoir, it would have been about 10 feet. The quantity delivered would vary in the two cases with the square root of the head; or the quantity delivered from the Howard University Reservoir would have been 40 per cent greater than that from the old.

In general, it may be said that these sections of the city which are nearer to the Howard University Reservoir than the old will be benefited by service from the former. The line equally distant from the two varies but little from Twenty-fourth street west; hence sections lying east of this line would be benefited either by water being delivered at greater elevations or by greater supply at elevations as at present.

Will the work of repairing the tunnel conduit be too expensive? In other words, will it cost more to complete the tunnel conduit than to construct some other system of supply of equal capacity or at least of sufficient capacity to meet all needs for both the immediate and the distant future? The cost of completing the tunnel conduit is estimated at $1,233,328, and the cost of completing the Howard University Reservoir is estimated at $111,955. Details of these estimates are as follows:

Estimate of cost of completing tunnel conduit.

Pumping out tunnel	$2,000
Connection with distributing reservoir	3,000
Dome of west shaft	700
Unfinished sections	410,559
Repairs of other sections	511,818
Special steel lining and backing, 2,000 feet	127,180
Foundry Branch shaft	3,500
Rock Creek shaft	4,600
Champlain avenue shaft	4,000
Two gates and pump houses	10,000
One gate and pump house	6,500
Tops of three air shafts	350
Gatehouse at east shaft	25,000
Four pumping outfits	12,000
	1,121,207
Contingencies, 10 per cent	112,121
Total	1,233,328

Estimate of cost of completing reservoir.

Cleaning and puddling bottom	$25,000
Repair and completion of side slopes	11,288
Repair and completion of dam	2,889
Circulating conduits	17,860
Protection of spring house	1,500
Keeper's dwelling	5,000
Fences of grounds and dam	28,240
Improvement and drainage of grounds	10,000
	101,777
Contingencies, 10 per cent	10,178
Total	111,955

What will be the cost of another system outlined as follows:

A 9-foot gravity conduit starts from the aqueduct just above the connection with the distributing reservoir, running thence along the line of W street, west of Rock Creek, mainly in tunnel until near Rock

Creek, then skirting the hills until a gatehouse near Massachusetts avenue extended is reached, provision to be made at the gatehouse for carrying at least five 48-inch mains, though but three are estimated for; these three mains to be carried as siphons, by iron trusses on stone piers and abutments, across Rock Creek, at the level of 80 feet above datum, along Massachusetts avenue to S street, then along that street and across to Florida avenue, then through Grant street and along that line extended, and finally turning to Howard University Reservoir gatehouse. Foundry Branch could be crossed by a 30-foot culvert. The piers and abutments of the Rock Creek Bridge should be built so as also eventually to carry the trusses of a deck bridge; this deck bridge to be above and otherwise distinct from the trusses carrying the mains.

The gravity conduit is to connect with the present 9-foot aqueduct, and not with the effluent gatehouse of the distributing reservoir. This latter gatehouse is connected by a 7-foot by-conduit with the influent gatehouse. Were the new conduit to connect with the effluent gatehouse and the distributing reservoir thrown out of service for any reason, the city's supply would be throttled from a 9-foot conduit by 2,274 feet of 7-foot conduit. This would be avoided by making the connection with the larger aqueduct as proposed. The new conduit would be mainly in tunnel, a better plan than to have it near the surface in future extensions of the city to the westward. Like regard for its immunity from dangers incidental to building sewers, laying of mains, construction of railways, or of large buildings have induced placing its terminus on the hillside at Rock Creek, and continuing the supply line thence by iron mains.

The three mains should be located on the bridge and under the streets, and might be ultimately paralleled by a fourth. Provision is made for a fifth, should that be wanted, west of and along Rock Creek. The proposed location is shown on plate 2, accompanying this report. The estimated cost of this system is $1,503,209, itemized as follows:

EXCAVATION.

Gravity conduit (not in tunnel) in earth	$2,611	
Gravity conduit (not in tunnel) in rock	28,010	
Pipe line in earth	27,793	
Pipe line in rock	7,820	
Tunnel excavation	272,344	
Brick conduit, not in tunnel	46,776	
Brick masonry, in tunnel	120,870	
Stone masonry, in tunnel	77,336	
		$583,560
Masonry of bridges and culverts	98,620	
Masonry for gate chambers	2,700	
Iron superstructure for Rock Creek Bridge	50,000	
		151,320
Pipe and special castings	452,979	
Laying same	47,464	
Valves, casings, manhole covers	21,988	
Replacing pavements	44,843	
		567,274
Gatehouse at Howard Reservoir		20,000
Land required		44,400
		1,366,554
Contingencies, 10 per cent		136,655
Total		1,503,209

Compared with the cost of completing the tunnel conduit, the cost of the new system is greater by about $270,000. But that one of two works

whose first cost is the greater is not necessarily the more expensive in the end. Were the tunnel conduit completed, the difficulty of making necessary repairs would be great, and the time necessary would be in excess of that for which a supply of water could be stored in the Howard University Reservoir. With the proposed gravity and pipe system repairs themselves could be more quickly made than with the other; the emptying of conduit and pipes would take fewer hours than emptying the tunnel conduit would days, and the annual cost of maintenance would be less than that of the tunnel conduit. Would not these advantages justify the larger expenditure, even though the possibility of the necessity of repairs to the tunnel conduit be small and remote? I can not but think they would justify the larger expenditure.

CONCLUSION.

It is practicable to complete the tunnel conduit, and at a cost (disregarding expenditure already made) of $1,233,328, which is lower by $270,000 than that of providing another system of supply. The tunnel conduit completed as outlined above would be open to none of the objections advanced against it, except that of the delay and difficulty attending its repair.

This objection, however, is of sufficient force to justify an additional expenditure of about $270,000, or a total expenditure of $1,503,209, in the construction of a brick-lined gravity conduit and pipe extension thereof, which system would be comparatively free from the objections stated.

Whichever system of extending the aqueduct is executed, the completion of the Howard University Reservoir at an estimated cost of $111,955 is recommended.

Very respectfully, your obedient servant,


JOHN G. D. KNIGHT,
Major, Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

This report has been made in accordance with the provisions of the act of March 2, 1895, making appropriations for the District of Columbia.

THOS. LINCOLN CASEY,
Brig. Gen., Corps of Engineers (Retired), Consulting Engineer.

WASHINGTON, D. C., *October 30, 1895.*



To accompany report of Commission of Experts convened to consider and report on certain questions relating to an increase of the water supply of the City of Washington, D.C. *Jan. 17, 1896.*

H Doc 166 54 1

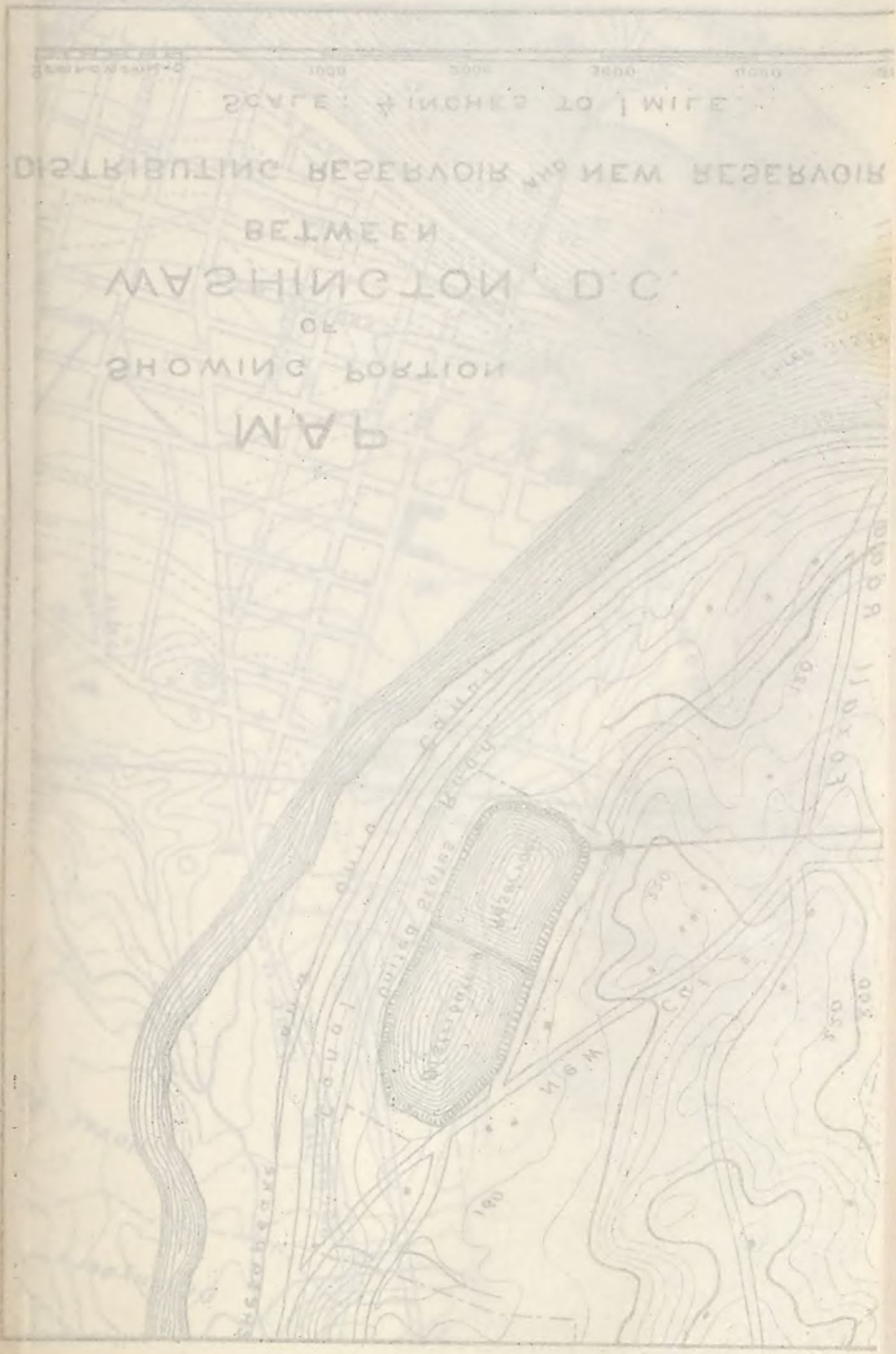

SCALE: 4 INCHES TO 1 MILE
DISTRIBUTING RESERVOIR & NEW RESERVOIR
BETWEEN
WASHINGTON D.C.
OF
SHOWING PORTION
WAR
Outlet Conduit
Distributing Reservoir
Mound
150
350
400

PLATE 2.

To accom
convened to
relating to
City of Wa

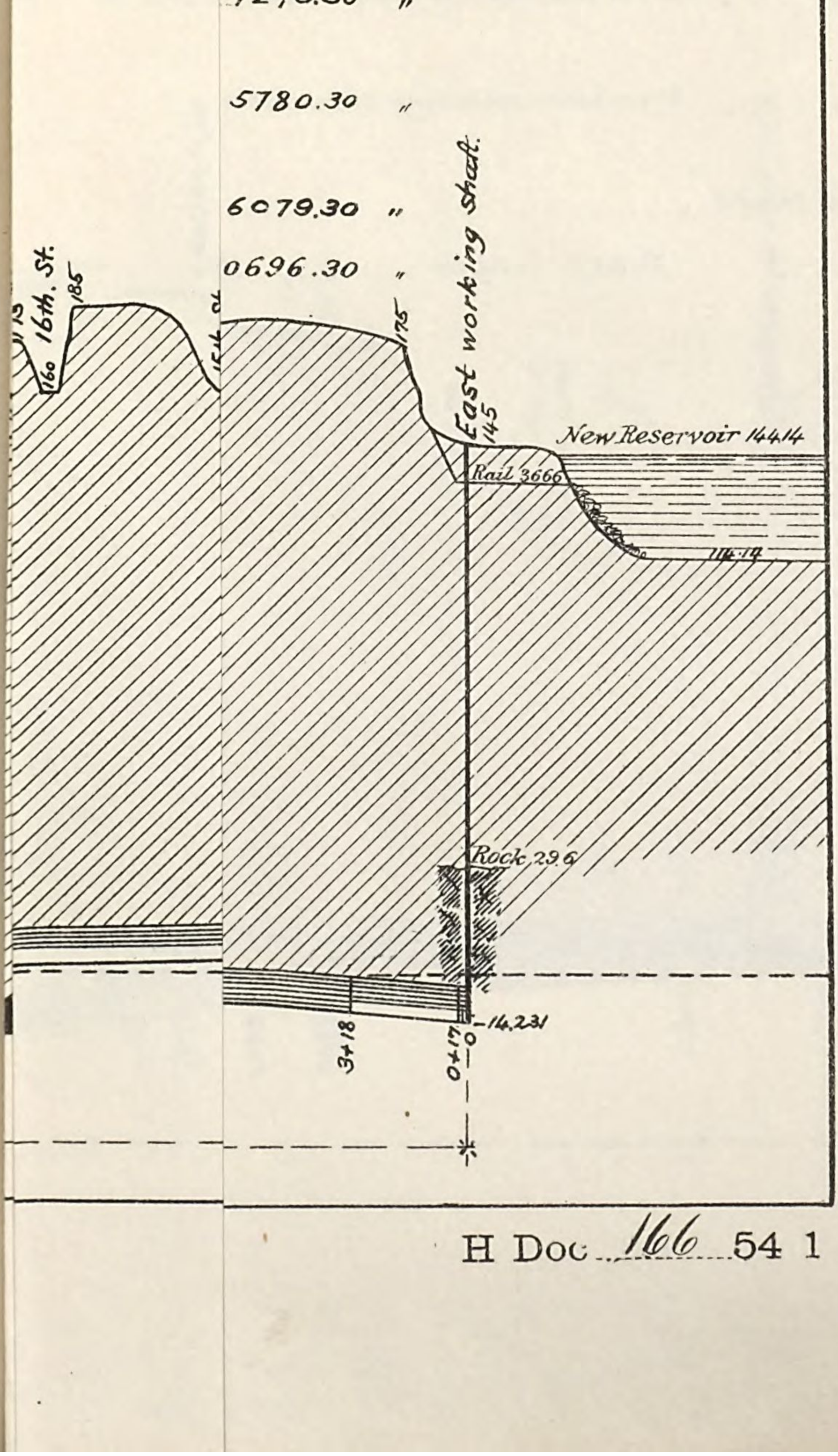
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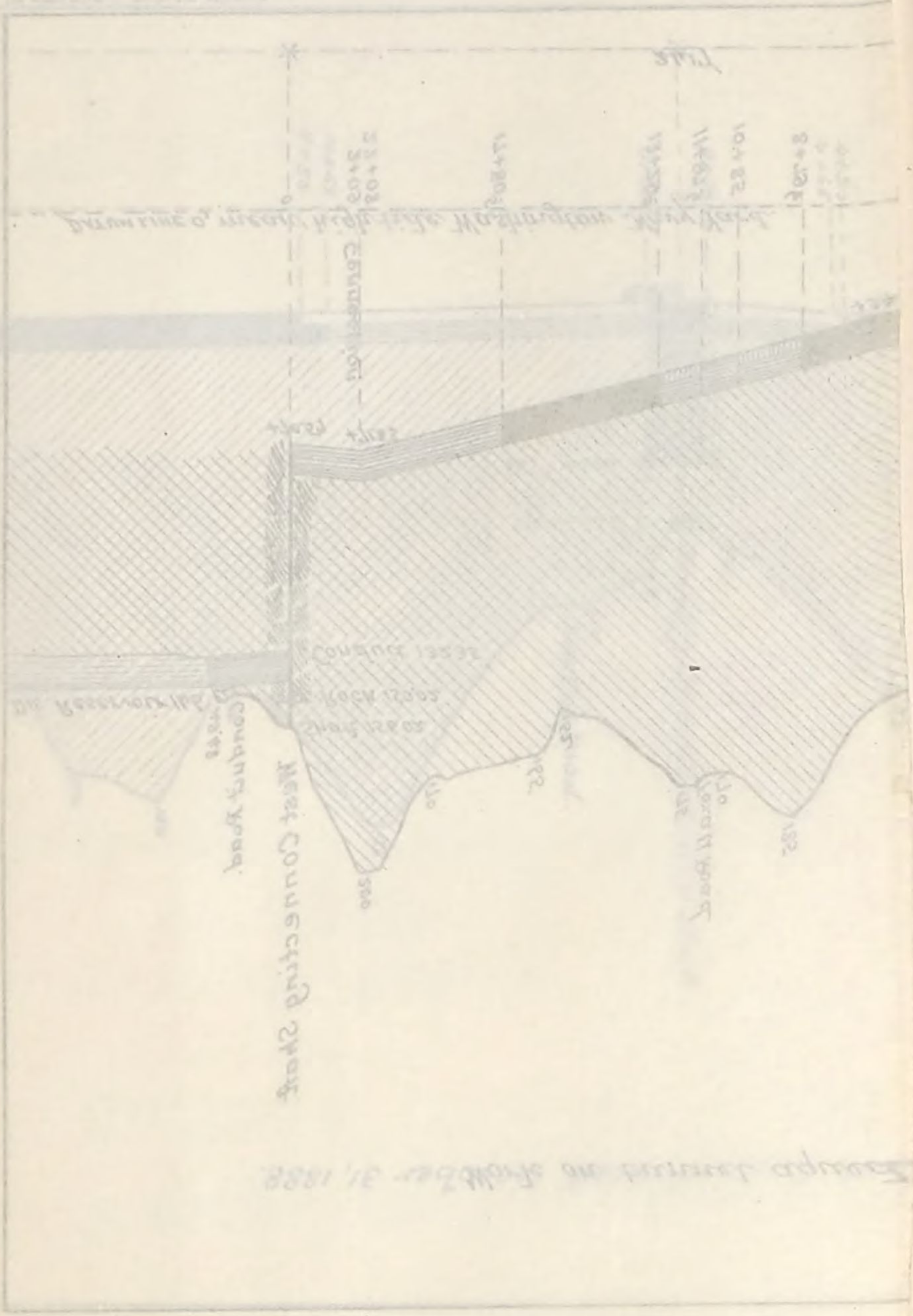
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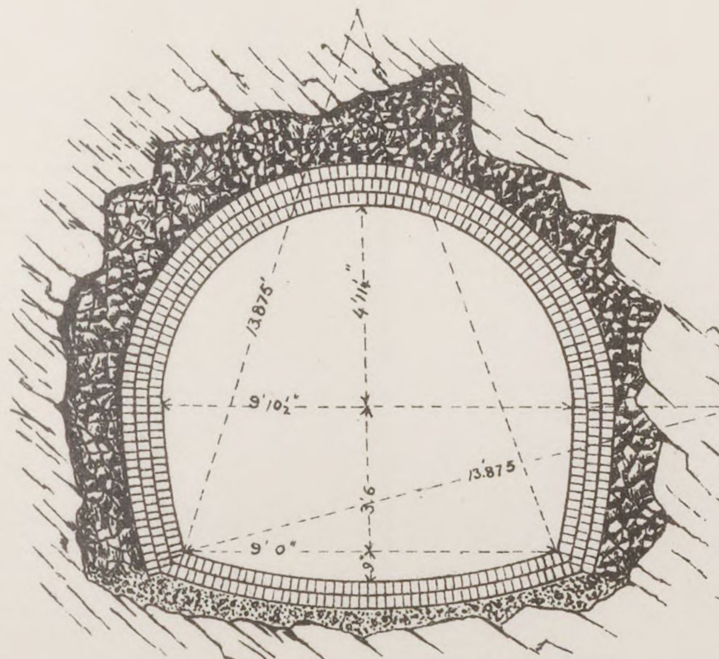
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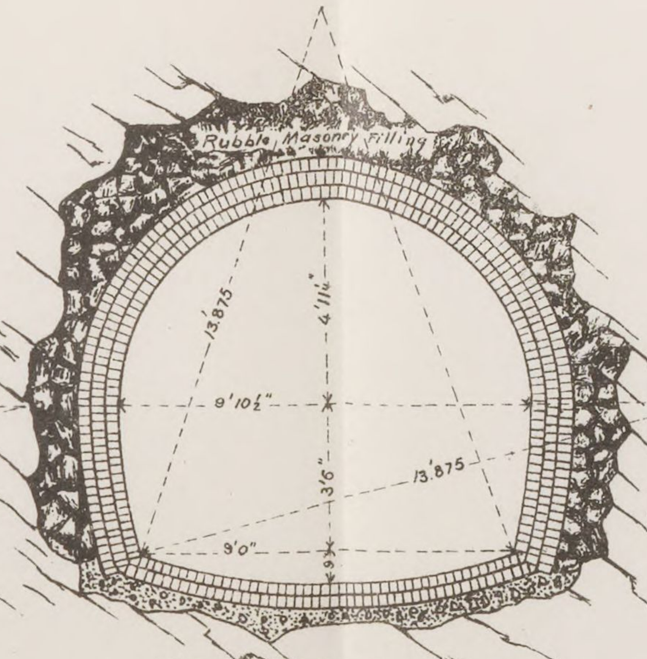
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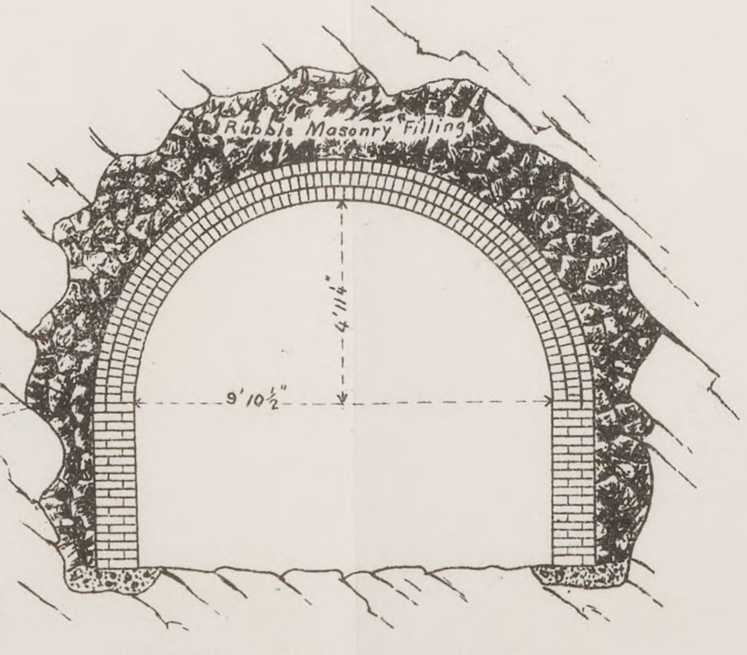




No 1. Three ring arch with invert.
Dry stone backing.



No 2. Three ring arch with invert.
Rubble masonry backing
"A"



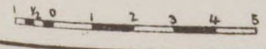
No 3. Three ring arch with side walls.
No invert. Rubble masonry backing.

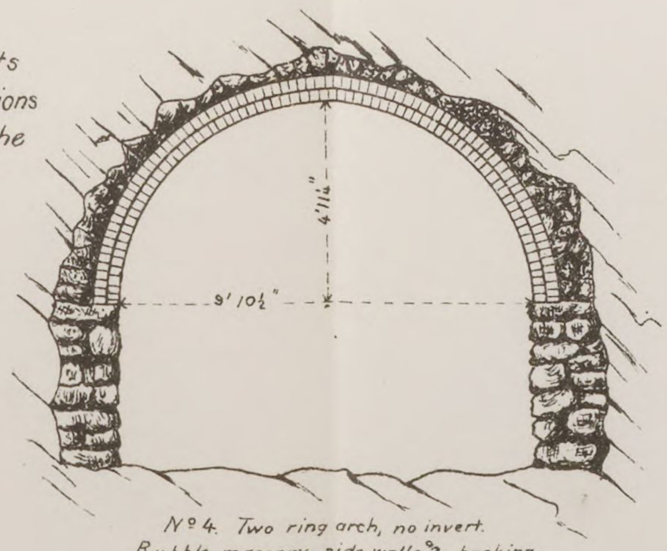
To accompany report of Commission of Experts convened to consider and report on certain questions relating to an increase of the water supply of the City of Washington, D.C.

Jan. 17, 1896.

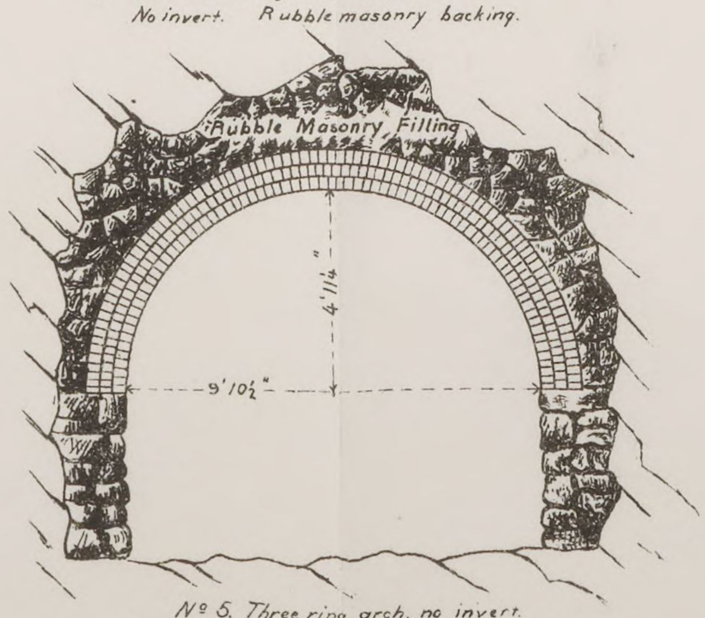
CROSS SECTIONS
OF
TUNNEL

Scale 6 feet to the inch.



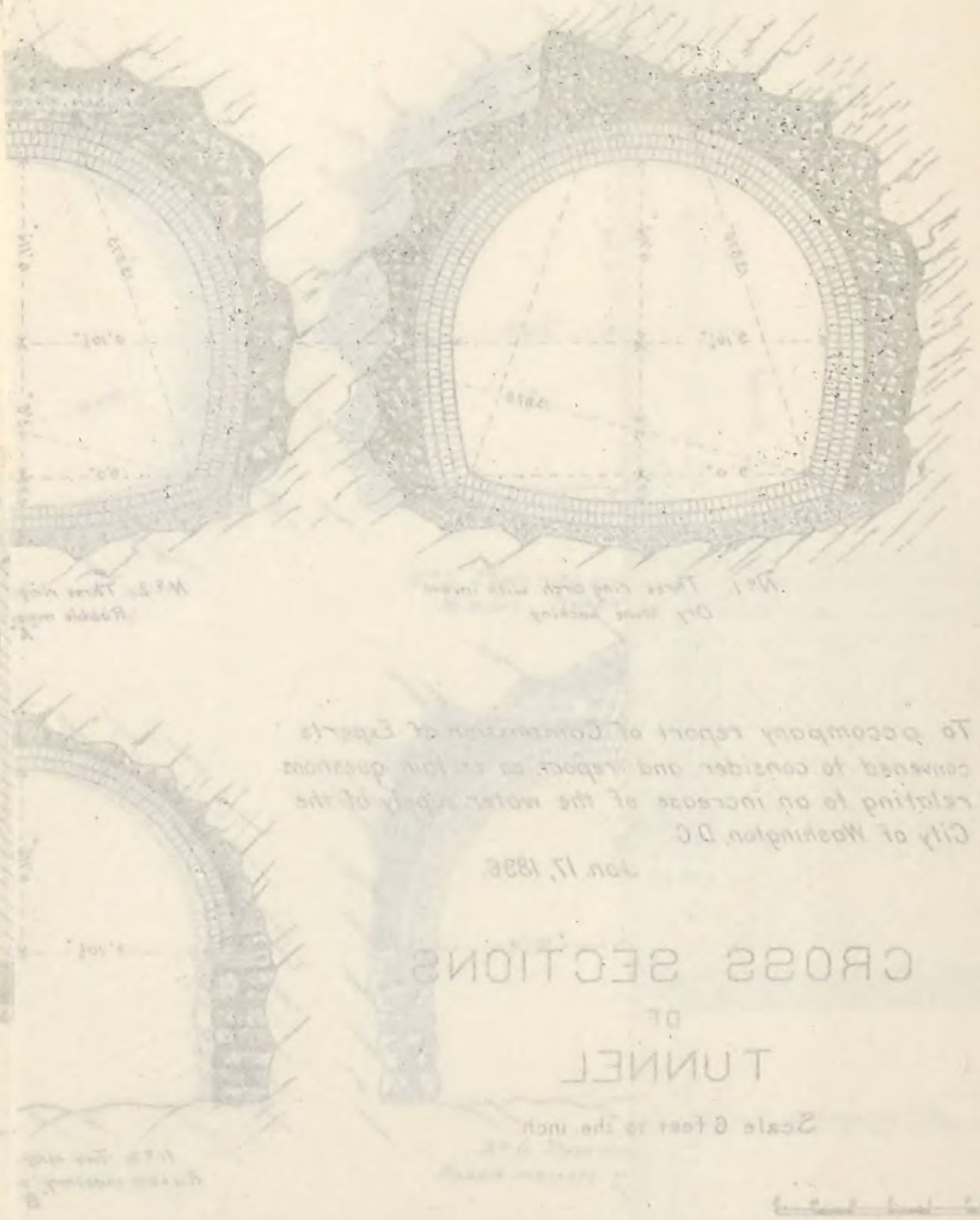


No 4. Two ring arch, no invert.
Rubble masonry side walls and backing.
"B"



No 5. Three ring arch, no invert.
Rubble masonry side walls and backing.
"C"

THE NORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.



54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 167.

EXPENSE AND EMOLUMENT ACCOUNTS RENDERED BY UNITED STATES COURT OFFICIALS.

LETTER

FROM THE

ATTORNEY-GENERAL OF THE UNITED STATES,

RESPONDING

To the House Resolution of December 12, 1895, relative to expense and emolument accounts rendered by United States court officials.

JANUARY 23, 1896.—Referred to the Committee on the Judiciary and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 22, 1896.

SIR: In response to a resolution of the House of Representatives, of date December 12, 1895, relative to the expense and emolument accounts rendered by United States court officials, I transmit herewith the information desired in the shape of exhibits, as follows:

Exhibit A, showing the emoluments and expenses of the offices of United States marshals and United States attorneys, as shown by their returns of official emoluments rendered during the fiscal year ending June 30, 1895.

Exhibit B, showing the emoluments and expenses of the offices of the clerks of the United States and Territorial courts, as shown by their emolument returns rendered to the Department of Justice during the fiscal year, 1895.

Exhibit C, showing the amount of fees earned during the fiscal year 1895 by commissioners of the circuit courts, and others acting as such, as shown by accounts rendered to the Department of Justice.

Exhibit D, being a list of United States attorneys and United States marshals, by districts, with annual salary of each.

Exhibit E, being a list of assistant United States attorneys, by districts, with the annual salary of each.

Exhibit F, being a list of deputy United States marshals reported to the Department of Justice by United States marshals.

Respectfully,

JUDSON HARMON,
Attorney-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

EXHIBIT A.—*Emoluments and expenses of the offices of the United States marshals and attorneys as shown by their returns of official emoluments rendered during the fiscal year ending June 30, 1895.*

UNITED STATES MARSHALS.

Districts.	Gross emoluments.			Expenses of office.									Net emoluments from which the marshal receives his compensation.
	From the United States.	From individuals.	Total.	Deputies.	Furniture.	Clerk hire.	Stationery.	Office rent.	Mileage.	Fuel and lights.	Sundries.	Total.	
Alabama:													
Northern	$42,636.99	$1,089.09	$43,726.08	$26,049.94	$25.00	$4,000.00	$659.77	.....	.....	.....	$6,872.10	$37,606.81	$6,119.27
Middle	46,665.10	207.23	46,872.33	37,780.30	.....	2,400.00	165.20	.....	.....	.....	5.57	40,351.07	6,521.26
Southern	27,294.22	351.38	27,645.60	18,389.92	.....	2,700.00	96.45	.....	.....	.....	.....	21,186.37	6,459.23
Alaska	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona	25,869.77	30.38	25,900.15	18,341.25	40.95	1,530.00	112.00	$120.00	.....	.....	652.39	20,796.59	5,103.56
Arkansas:													
Eastern	18,298.40	1,794.20	20,092.60	8,443.58	.....	2,454.75	193.60	.....	.....	.....	1,716.80	12,808.73	7,283.87
Western	50,396.85	94.00	50,490.85	33,427.87	.....	4,600.00	388.00	.....	.....	.....	1,718.80	40,134.67	10,356.18
California:													
Northern	10,133.28	3,161.10	13,294.38	5,940.60	.....	1,285.00	323.10	.....	.....	.....	893.41	8,442.11	4,852.27
Southern	13,937.27	884.32	14,821.59	7,787.49	20.00	2,700.00	348.35	.....	.....	.....	432.58	11,288.42	3,533.17
Colorado	12,036.65	1,661.11	13,697.76	8,120.39	.....	750.00	74.95	.....	$12.00	.....	26.30	8,983.64	4,714.12
Connecticut	2,493.23	1,234.89	3,728.12	751.07	.....	.....	.....	.....	.....	.....	.....	751.07	2,977.05
Delaware	2,195.48	415.87	2,611.35	20.00	.....	.....	.....	.....	.....	.....	.....	20.00	2,591.35
District of Columbia	12,456.16	8,117.32	20,573.48	5,791.20	28.00	750.00	140.00	.....	.....	.....	974.87	7,684.07	12,889.41
Florida:													
Northern	11,498.59	652.18	12,150.77	6,386.94	.....	923.31	38.05	.....	.....	.....	27.20	7,375.50	4,775.27
Southern	a 3,959.62	793.32	4,752.94	1,431.30	.....	300.00	225.00	.....	.....	.....	.....	1,956.30	2,796.64
Georgia:													
Northern	50,747.64	484.21	51,231.85	41,020.42	.....	2,600.00	110.40	.....	.....	.....	889.70	44,620.52	6,611.33
Southern	4,604.38	941.40	15,545.78	7,787.20	.....	1,548.56	76.00	.....	.....	.....	134.02	9,545.78	6,000.00
Idaho	11,120.12	423.95	11,544.07	5,329.54	.....	1,940.00	48.25	.....	.....	.....	535.45	7,853.24	3,690.83
Illinois:													
Northern	21,580.12	2,305.39	23,885.51	14,703.71	.....	3,181.80	.....	.....	.....	.....	.....	17,885.51	6,000.00
Southern	20,524.77	2,351.61	22,876.38	13,537.15	.....	2,082.00	84.00	.....	.....	.....	315.75	16,018.90	6,857.48
Indiana	15,048.84	1,641.53	16,690.37	10,294.57	.....	1,000.00	.....	.....	.....	.....	461.87	11,756.44	4,933.93
Iowa:													
Northern	13,460.88	322.14	13,783.02	6,938.47	.....	1,200.00	58.25	.....	.....	.....	390.66	8,587.38	5,195.64
Southern	30,260.06	462.14	30,722.20	19,665.98	.....	1,975.00	315.92	.....	.....	.....	112.89	22,069.79	8,652.41
Kansas	11,446.62	2,865.02	14,311.64	7,080.88	135.00	1,996.90	490.19	.....	.....	.....	575.03	10,278.00	4,033.64
Kentucky	35,008.20	1,007.06	36,015.26	25,051.60	.....	4,346.52	224.23	.....	.....	.....	192.71	29 815.06	6,200.20
Louisiana:													
Eastern	a 2,373.50	2,359.72	4,733.22	2,546.88	.....	1,020.00	.....	.....	.....	.....	.....	3,566.88	1,166.34
Western	2,871.86	630.47	3,502.33	269.10	17.73	25.60	4.00	22.38	.....	$13.90	5.95	358.66	3,143.67
Maine	9,357.38	1,351.78	10,709.16	4,943.35	.....	.....	122.75	.....	.....	.....	316.12	5,382.22	5,326.94

Maryland	4,403.98	1,644.17	6,048.15	2,422.94	.....	.....	35.00	.....	.....	.....	.....	2,457.94	3,590.21
Massachusetts	10,497.24	3,297.00	13,794.24	5,758.54	.....	1,723.33	179.67	.....	.....	.....	132.70	7,794.24	6,000.00
Michigan:													
Eastern	7,958.56	3,618.43	11,576.99	4,739.76	.....	.....	76.00	.....	.....	.....	262.51	5,078.27	6,498.72
Western	8,608.94	305.91	8,914.85	2,533.97	.....	.....	.....	.....	.....	.....	565.10	3,099.07	5,815.78
Minnesota	b20,241.83	1,857.96	22,099.79	14,056.28	.....	2,156.25	122.79	.....	82.10	.....	318.37	16,735.79	5,364.00
Mississippi:													
Northern	18,614.33	285.02	18,899.35	12,505.74	.....	704.00	60.28	.....	.....	.....	224.75	13,494.77	5,404.58
Southern	18,812.28	594.23	19,406.51	11,139.57	.....	1,119.00	56.50	.....	.....	.....	1,045.29	13,360.36	6,046.15
Missouri:													
Eastern	16,882.49	742.06	17,624.55	10,231.56	.....	1,927.70	130.90	.....	41.60	.....	.....	12,331.76	5,292.79
Western	20,698.24	1,266.54	21,964.78	15,825.01	.....	1,850.00	.....	.....	.....	.....	.....	17,675.01	4,289.77
Montana	23,835.81	417.41	24,253.22	14,731.40	281.50	1,800.00	403.76	.....	.....	.....	543.50	17,760.16	6,493.06
Nebraska	14,558.54	3,379.42	17,937.96	10,283.74	.....	215.63	74.05	.....	.....	.....	267.29	10,840.71	7,097.25
Nevada	6,605.94	498.14	7,104.08	2,378.41	.....	.....	.....	.....	.....	.....	470.15	2,848.56	4,255.52
New Hampshire	1,416.65	429.65	1,846.30	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,846.30
New Jersey	4,153.87	2,290.57	6,444.44	1,784.91	.....	1,250.00	.....	.....	.....	.....	.....	3,034.91	3,409.53
New Mexico	34,207.34	145.61	34,352.95	22,622.23	.....	2,332.00	498.04	.....	.....	.....	375.08	25,827.35	8,525.60
New York:													
Northern	20,021.43	1,867.39	21,888.82	9,962.98	7.50	3,199.97	169.88	200.31	98.00	.....	5.49	13,644.13	8,244.69
Eastern	5,928.45	995.04	6,923.49	.....	.....	990.00	29.98	.....	.....	.....	23.00	1,042.98	5,880.51
Southern	a11,787.88	11,491.66	23,279.54	12,138.96	.....	5,431.46	370.10	.....	.....	.....	121.56	18,062.08	5,217.46
North Carolina:													
Eastern	17,270.14	107.57	17,377.71	10,440.58	.....	850.00	62.00	.....	.....	.....	201.83	11,554.41	5,823.30
Western	43,576.77	185.48	43,762.25	29,679.20	.....	4,300.00	277.69	.....	.....	.....	934.27	35,191.16	8,571.09
North Dakota	35,919.67	253.21	36,172.88	25,943.54	15.00	1,846.00	209.65	.....	.....	.....	853.34	28,867.53	7,305.35
Ohio:													
Northern	10,117.96	4,356.66	14,474.62	4,612.09	.....	3,146.75	374.79	.....	.....	.....	1,245.51	9,379.14	5,095.48
Southern	13,412.64	2,614.15	16,026.79	7,041.16	.....	2,225.60	236.35	.....	.....	.....	241.75	9,744.86	6,281.93
Oklahoma	248,179.39	.....	248,179.39	212,665.71	8.05	7,200.00	1,236.65	.....	.....	.....	149.12	221,259.53	26,919.86
Oregon	16,988.10	1,387.92	18,376.02	10,917.80	.....	2,925.00	260.25	.....	.....	.....	317.35	14,420.40	3,955.62
Pennsylvania:													
Eastern	5,866.12	3,203.25	9,069.37	2,486.03	.....	1,300.00	.....	.....	.....	.....	.....	3,786.03	5,283.34
Western	c6,185.08	2,514.32	8,699.40	1,397.42	.....	320.00	.....	.....	.....	.....	914.60	2,632.02	6,067.38
Rhode Island	2,052.69	300.20	2,352.89	59.77	.....	.....	.....	.....	.....	.....	.....	59.77	2,293.12
South Carolina	42,477.44	494.55	42,971.99	25,945.89	.....	3,600.00	400.33	.....	27.50	.....	.....	29,973.72	12,998.27
South Dakota	29,188.39	486.85	29,675.24	19,759.74	.....	2,400.00	88.70	.....	468.40	.....	473.94	23,190.78	6,484.46
Tennessee:													
Eastern	34,839.55	254.98	35,094.53	25,052.88	.....	3,000.00	283.25	.....	.....	.....	761.05	29,097.18	5,997.35
Middle	30,336.30	647.11	30,983.41	20,165.20	.....	750.00	46.75	.....	.....	.....	3.55	20,965.50	10,017.91
Western	11,743.00	164.06	11,907.06	5,475.23	.....	1,000.00	.....	.....	.....	.....	.....	6,475.23	5,431.83
Texas:													
Northern	12,918.28	960.27	13,878.55	7,611.58	.....	1,000.00	107.50	.....	.....	.....	389.97	9,109.05	4,769.50
Eastern	82,238.60	828.77	83,067.37	67,199.46	110.00	6,050.00	459.05	16.00	.....	130.85	501.25	74,466.61	8,600.76
Western	23,489.33	907.50	24,396.83	12,700.07	.....	2,400.00	179.85	.....	.....	.....	3,789.08	19,069.00	5,327.83
Utah	16,684.29	.....	16,684.29	10,692.64	.....	1,800.00	.....	.....	.....	.....	.....	12,492.64	4,191.65
Vermont	4,428.96	116.52	4,545.48	.....	.....	.....	.....	.....	.....	.....	.....	.....	4,545.48

a Emoluments and expenses estimated for six months.
b Emoluments and expenses estimated for four months.
c Emoluments and expenses estimated for the entire year.

EXHIBIT A.—*Emoluments and expenses of the offices of the United States marshals and attorneys, etc.*—Continued.

UNITED STATES MARSHALS—Continued.

Districts.	Gross emoluments.			Expenses of office.									Net emoluments from which the marshal receives his compensation.
	From the United States.	From individuals.	Total.	Deputies.	Furniture.	Clerk hire.	Stationery.	Office rent.	Mileage.	Fuel and lights.	Sundries.	Total.	
Virginia:													
Eastern	$4,471.68	$1,672.45	$6,144.13	$1,267.21	.....	.....	.....	.....	.....	.....	$381.51	$1,648.72	$4,495.41
Western	43,359.89	140.38	43,500.27	31,403.45	.....	$3,100.00	$70.00	$75.00	.....	$21.42	186.74	34,856.61	8,643.66
Washington	41,930.37	4,390.07	46,320.44	30,557.78	$66.25	3,524.50	218.60	.....	.....	.....	888.74	35,255.87	11,064.57
West Virginia	45,520.20	661.36	46,181.56	35,096.89	24.00	4,316.67	258.30	120.00	.....	.....	.....	39,815.86	6,365.70
Wisconsin:													
Eastern	13,703.52	1,072.25	14,775.77	7,696.04	.....	1,200.00	126.55	.....	.....	.....	335.10	9,357.69	5,418.08
Western	10,934.46	412.79	11,347.25	4,466.26	.....	1,200.00	.....	.....	.....	.....	.....	5,666.26	5,680.99
Wyoming	5,778.65	112.58	5,891.23	62.50	.....	343.75	.....	.....	.....	.....	.....	406.25	5,484.98
Total	1,621,121.25	101,004.27	1,722,125.52	1,101,342.82	778.98	131,807.05	11,401.67	553.69	$729.60	166.17	34,173.66	1,280,953.64	441,171.88

Districts.	Gross emoluments.			Expenses of office.						Net emoluments from which the attorney receives his compensation.
	From the United States.	From individuals.	Total.	Clerk hire.	Furniture.	Stationery. ery.	Rent, fuel, and lights.	Sundries.	Total.	
Alabama:										
Northern	$11,598.70		$11,598.70	$2,102.17	$100.00	$291.90		$10.32	$2,504.39	$9,094.31
Middle	10,001.00		10,001.00	1,000.00		212.70		82	1,213.52	8,787.48
Southern	4,880.00		4,880.00	84.60		27.25			111.85	4,768.15
Alaska										
Arizona	6,103.80		6,103.80	138.50		16.50		488.57	643.57	5,460.23
Arkansas:										
Eastern	5,582.80		5,582.80	150.00		13.50			163.50	5,419.30
Western	10,770.00		10,770.00			207.10			207.10	10,562.90
California:										
Northern	4,047.17		4,047.17	2,100.00					2,100.00	1,947.17
Southern	3,440.62		3,440.62	540 00					540.00	2,900.62
Colorado	6,860.60		6,860.60							6,860.60
Connecticut	2,763.60		2,763.60							2,763.60
Delaware	1,830.00		1,830.00			7.25			7.25	1,822.75
District of Columbia	47,055.00		47,055.00	14,800.00	396.23	680.35			15,876.58	31,178.42
Florida:										
Northern	4,539.57		4,539.57	71.00		29.50			100.50	4,439.07
Southern	3,607.90		3,607.90	350.00		13.00			363.00	3,244.90
Georgia:										
Northern	13,001.60		13,001.60	4,312.60		260.80		468.97	5,042.37	7,959.23
Southern	3,056.60		3,056.60							3,056.60
Idaho	3,856.60		3,856.60	600.00			$390.00	476.55	1,466.55	2,390.05
Illinois:										
Northern	6,933.13		6,933.13	1,066.67		161.25		287.55	1,515.47	5,417.66
Southern	6,703.60		6,703.60	500.00		21.95		591.00	1,112.95	5,590.65
Indiana	6,765.80		6,765.80	9.75		168.05			177.80	6,588.00
Iowa:										
Northern	9,114.60		9,114.60	1,000.00		66.70	193.21	71.26	1,331.17	7,783.43
Southern	6,952.30		6,952.30	680.00		50.50	75.00		805.50	6,146.80
Kansas	6,201.70		6,201.70	780.00		24.60		193.84	998.44	5,203.26
Kentucky	10,129.19		10,129.19	1,442.80		88.20		39.74	1,570.74	8,558.45
Louisiana:										
Eastern	2,906.00		2,906.00							2,906.00
Western	2,695.20		2,695.20							2,695.20
Maine	2,992.36		2,992.36							2,992.36
Maryland	4,067.50		4,067.50							4,067.50
Massachusetts	8,235.15		8,235.15	177.17		220.63		21.10	418.90	7,816.25

EXHIBIT A.—*Emoluments and expenses of the offices of the United States marshals and attorneys, etc.*—Continued.

UNITED STATES ATTORNEYS—Continued.

Districts.	Gross emoluments.			Expenses of office.						Net emoluments from which the attorney receives his compensation.
	From the United States.	From individuals.	Total.	Clerk hire.	Furniture.	Stationery.	Rent, fuel, and lights.	Sundries.	Total.	
Michigan:										
Eastern	$3,444.48		$3,444.48							$3,444.48
Western	5,311.70		5,311.70							5,311.70
Minnesota	4,840.00		4,840.00	$1,200.00		$52.25		$102.63	$1,354.88	3,485.12
Mississippi:										
Northern	7,377.40		7,377.40	1,200.00		51.75			1,251.75	6,125.65
Southern	7,916.00		7,916.00	1,320.00	$209.05	248.26	$245.95		2,023.26	5,892.74
Missouri:										
Eastern	a 3,300.00		3,300.00			216.00			216.00	3,084.00
Western	7,761.30		7,761.30	429.90	30.00	145.76		73.12	678.78	7,082.52
Montana	7,314.80		7,314.80	954.65	26.00	34.60	350.00	149.45	1,514.70	5,800.10
Nebraska	5,507.70		5,507.70	241.50		75.55		26.53	343.58	5,164.12
Nevada	4,322.40		4,322.40							4,322.40
New Hampshire	a 1,203.60		1,203.60							1,203.60
New Jersey	a 2,254.40		2,254.40							2,254.40
New Mexico	9,354.15		9,354.15	900.00	25	182.25	327.45	110.66	1,520.61	7,833.54
New York:										
Northern	5,217.56		5,217.56	150.00		163.26	350.00	152.11	815.37	4,402.19
Eastern	3,950.08		3,950.08							3,950.08
Southern										
North Carolina:										
Eastern	5,395.40		5,395.40							5,395.40
Western	19,563.20		19,563.20	2,010.00	97.50	75.95	195.96	6.00	2,385.41	17,177.79
North Dakota	5,923.20		5,923.20			82.75			82.75	5,840.45
Ohio:										
Northern	b 5,697.86		5,697.86	187.50		6.56		422.25	616.31	5.081.55
Southern	5,335.65		5,335.65		85.50	44.10			129.60	5,206.05
Oklahoma	16,364.80		16,364.80	921.00	135.45	365.90	290.70	455.19	2,168.24	14,196.56
Oregon	5,916.75		5,916.75	2.00	.40	41.62		125.21	169.23	5,747.52
Pennsylvania:										
Eastern	a 4,332.40		4,332.40	208.00		76.86			284.86	4,047.54
Western	4,520.00		4,520.00	1,200.00		18.53			1,218.53	3,301.47
Rhode Island	2,315.00		2,315.00							2,315.00
South Carolina	11,261.00		11,261.00	1,590.00		110.65		200.36	1,901.01	9,359.99
South Dakota	6,731.60		6,731.60	734.50		22.35			756.85	5,974.75

Tennessee:										
Eastern	12,560.20		12,560.20	2,000.00		79.05		9.68	2,088.73	10,471.47
Middle	11,425.00		11,425.00	1,240.00		238.60		515.81	1,994.41	9,430.59
Western	9,019.00		9,019.00	150.00		25.75			175.75	8,843.25
Texas:										
Northern	3,438.30		3,438.30							3,438.30
Eastern	10,405.74		10,405.74	1,645.86		119.50		29.11	1,794.47	8,611.27
Western	3,970.10	35.00	4,005.10							4,005.10
Utah	9,170.20		9,170.20	610.00		23.65	418.90	284.23	1,336.78	7,833.42
Vermont	2,985.60		2,985.60							2,985.60
Virginia:										
Eastern	5,236.20		5,236.20	30.00			84.96	11.70	126.66	5,109.54
Western	12,804.60		12,804.60	1,689.35		61.68	120.00	245.80	2,116.83	10,687.77
Washington	8,370.00		8,370.00	1,800.00		47.63	33.60	28.64	1,909.87	6,460.13
West Virginia	10,301.60		10,301.60	2,200.00		59.55		116.00	2,375.55	7,926.05
Wisconsin:										
Eastern	*a* 6,211.00		6,211.00							6,211.00
Western	4,986.60		4,986.60							4,986.60
Wyoming	4,615.00		4,615.00	205.00					205.00	4,410.00
Total	504,623.66	35.00	504,658.66	56,724.52	1,080.38	5,232.09	3,075.73	5,714.20	71,826.92	432,831.74

a Emoluments and expenses estimated for six months.

b Emoluments and expenses estimated for three months.

The above exhibit does not show the emoluments and expenses of the following districts, as both the marshals and attorneys are paid an annual salary, viz: Alaska, Indian Territory (northern, central, and southern districts), and also the attorney for the southern district of New York.

EXHIBIT B.—*Emoluments and expenses of the offices of the clerks of the United States and Territorial courts as shown by their emolument returns rendered the Department of Justice during the fiscal year 1895.*

Name of clerk.	District.	Location.	Gross emoluments.			Expenses of office.				Net emoluments from which the clerks are paid.
			Earned from the United States.	Earned from individuals.	Total.	Clerk hire.	Stationery.	Rent, furniture, and sundries.	Total.	
CIRCUIT COURTS OF APPEALS. *a.*										
Stetson, John G	First circuit	Boston, Mass. *b*								
Reed, James C	Second circuit	New York, N. Y. *b*								
Williamson, Wm. V	Third circuit	Philadelphia, Pa. *b*								
Meloney, Henry T	Fourth circuit	Richmond, Va			$1,676.55				$738.05	$938.50
McKee, James M	Fifth circuit	New Orleans, La			5,697.83				390.55	5,307.28
Loveland, Frank O	Sixth circuit	Cincinnati, Ohio *b*								
Morton, Oliver T	Seventh circuit	Chicago, Ill			4,788.54				2,723.86	2,064.68
Jordon, John D	Eighth circuit	St. Louis, Mo			14,053.55				5,200.95	8,852.60
Monckton, Frank D	Ninth circuit	San Francisco, Cal			1,936.15				718.80	1,217.35
Total					28,152.62				9,772.21	18,380.41
CIRCUIT COURTS.										
Trimble, N. W	Alabama, northern	Birmingham	$4,911.09	$4,786.71	9,697.80	$3,628.95	$482.80	$20.00	4,131.75	5,566.05
Dimmick, J. W	Alabama, middle	Montgomery	972.35	2,042.25	3,014.60	640.00	44.50		684.50	2,330.10
Jones, Richard	Alabama, southern	Mobile	386.55	86.85	473.40	200.00			200.00	273.40
Goodrich, Ralph L	Arkansas, eastern	Little Rock	391.30	2,502.25	2,893.55	1,200.00	56.10	105.25	1,361.35	1,532.20
Gibson, Sam'l	do	Texarkana		484.00	484.00					484.00
Crum, Emerson R	do	Helena	12.10	322.14	364.24					364.24
Wheeler, Stephen	Arkansas, western	Fort Smith	2,740.40	781.90	3,522.30	180.00	100.55		280.55	3,241.75
Costigan, W. J	California, northern	San Francisco	3,561.80	6,973.84	10,535.64	2,687.95	57.09	182.05	2,927.09	7,608.55
Van Dyke, Wm. M	California, southern	Los Angeles	7,737.07	5,198.83	12,935.90	3,145.00	461.91	211.70	3,818.61	9,117.29
Bailey, Robert	Colorado	Denver	464.20	7,884.83	8,349.03	4,518.79	648.67		5,167.46	3,181.57
Marvin, E. E	Connecticut	Hartford	1,091.40	2,112.71	3,204.11	756.75			756.75	2,447.36
Smith, S. Rodmond	Delaware	Wilmington	980.27	501.38	1,481.65					1,481.65
Walter, Philip	Florida, northern	Pensacola *c*	1,206.08	720.00	1,926.08	1,280.00			1,280.00	646.08
Locke, E. O	Florida, southern	Key West and Jacksonville	1,498.98	2,764.34	4,263.32	1,319.51	94.15		1,413.66	2,849.66
Fuller, O. C	Georgia, northern	Atlanta	5,320.85	2,802.14	8,122.99	3,222.74	216.80	268.15	3,707.69	4,415.30
King, H. H	Georgia, southern	Savannah	475.90	4,944.15	5,420.05	3,193.94	77.79		3,271.73	2,148.32
Richardson, A. L	Idaho	Boise	177.20	1,596.85	1,774.05					1,774.05
Burnham, S. W	Illinois, northern	Chicago *d*	577.70	16,058.19	16,635.89	11,084.30	980.13	125.00	12,189.43	4,446.46
Jones, James T	Illinois, southern	Springfield	1,823.60	1,275.85	3,099.45	80.00	22.15	6.00	108.15	2,991.30
Butler, Noble C	Indiana	Indianapolis	731.95	7,669.54	8,401.49	2,991.80	182.10	60.00	3,233.90	5,167.59
Van Duzee, A. J	Iowa, northern	Dubuque	733.35	3,338.45	4,071.80	708.55			708.55	3,363.25
Steadman, J. J	Iowa, southern	Council Bluffs		1,970.84	1,970.84					1,970.84
Mason, Edward R	do	Des Moines *c*	299.30	514.40	813.70					813.70

Charitt, Geo. F	Kansas	Topeka		9,567.68	9,567.68	5,609.79	269.82	149.40	6,029.01	3,538.67
Chinn, W. J	Kentucky	Frankfort	193.05	841.42	1,034.47					1,034.47
Finnell, J. C	do	Covington	449.90	2,258.35	2,708.25	960.00			960.00	1,748.25
Speed, Thomas	do	Louisville	2,694.42	2,890.47	5,584.89	1,851.30	168.20	36.00	2,055.50	3,529.39
Puryear, J. R	do	Paducah		280.00	280.00					280.00
Hunt, E. R	Louisiana, eastern	New Orleans	1,781.90	6,258.50	8,040.40	2,613.00	40.05	197.25	2,850.30	5,190.10
Beattie, J. B	Louisiana, western	Shreveport	1,049.30	738.30	1,787.60					1,787.60
Davis, A. H	Maine	Portland	648.58	1,363.17	2,011.75	23.35	10.88	24.97	59.20	1,952.55
Chew, Jas. W	Maryland	Baltimore	582.95	2,147.65	2,730.60	1,000.00			1,000.00	1,730.60
Trowbridge, A. H	Massachusetts	Boston	3,388.44	10,128.49	13,516.93	6,096.02	846.72	29.73	6,972.47	6,544.46
Harsha, Walter	Michigan, eastern	Detroit *c*	1,820.70	5,551.74	7,372.44	2,030.00	248.28		2,278.28	5,094.16
Fitch, Chas. L	Michigan, western	Grand Rapids	621.80	3,882.86	4,504.66	422.95	37.15		460.10	4,044.56
Hillis, O. B	Minnesota	St. Paul	1,509.01	5,584.06	7,093.07	2,981.38	461.26	322.53	3,765.17	3,327.90
Hill, Geo. R	Mississippi, northern	Oxford	383.24	478.58	861.82	62.25	3.15		65.40	796.42
Moseley, L. B	Mississippi, southern	Jackson	427.53	343.56	771.09	106.60			106.60	664.49
Selby, A. P	Missouri, eastern	St. Louis	*e* 703.85	794.10	1,497.95	525.00	150.00		675.00	822.95
Crawford, T. L	Missouri, eastern	St. Louis	*f* 888.45	4,077.30	4,965.75	1,890.00	191.35		2,081.35	2,884.40
Moore, Geo. C	do	Hannibal	76.60	1,566.42	1,643.02					1,643.02
Utter, Adelaide	Missouri, western	Kansas City	978.21	3,258.21	4,236.42	615.00		209.73	824.73	3,411.69
Lathim, Sarah A	do	Springfield	194.75	517.00	711.75	105.55	33.60	20.00	159.15	552.60
Geisberg, H. C	do	Jefferson City	79.30	363.95	443.25	41.25		20.50	61.75	381.50
Pollock, C. A	do	St. Joseph *b*								
Sproule, G. W	Montana	Helena	3,992.01	1,002.60	4,994.61	396.00	92 75		488.75	4,505.86
Frank, E. D	Nebraska	Omaha	1,637.95	6,407.03	8,044.98	3,604.01	241.80	60.00	3,905.81	4,139.17
Edwards, T. J	Nevada	Carson City	642.80	554.20	1,197.00					1,197.00
Shurtleff, F. E	New Hampshire	Concord, *c*	699.46	660.72	1,360.18					1,360.18
Oliphant, S. D	New Jersey	Trenton	925.00	6,068.33	6,993.33	3,000.00	192.10		3,192.10	3,801.23
Doolittle, Wm. S	New York, northern	Utica	808.05	2,974.45	3,782.50	1,200.00	198.63		1,398.63	2,383.87
Benedict, B. L	New York, eastern	Brooklyn	938.20	2,546.18	3,484.38	1,240.00	68.65		1,308.65	2,175.73
Shields, John A	New York, southern	New York	1,016.35	14,701.34	15,717.69	10,008.71	428.93	647.25	11,084.89	4,632.80
Riddick, N. J	North Carolina, eastern	Raleigh and Wilmington	1,510.20	717.55	2,227.75	228.39	50.40		278.79	1,948.96
Cowles, H. C	North Carolina, western	Statesville	596.30	100.32	696.62					696.62
Trogden, Saml. L	do	Greensboro	632.25	631.02	1,263.27	100.00	11.49		111.49	1,151.78
Patterson, R. O	do	Asheville	125.36	486.25	611.60					611.60
Montgomery, J. A	North Dakota	Fargo	2,150.70	1,103.44	3,254.14					3,254.14
Belford, Irvin	Ohio, northern	Cleveland	1,475.60	7,099.50	8,575.10	3,787.45	439.55		4,227.00	4,348.10
Cowen, Benj. R	Ohio, southern	Cincinnati	1,083.30	7,650.95	8,734.25	4,415.65	245.25	84.50	4,745.40	3,988.85
Sladen, J. A	Oregon	Portland	3,751.25	3,158.60	6,909.85	1,170.40	194.83	42.00	1,407.23	5,502.62
Bell, Samuel	Pennsylvania, eastern	Philadelphia	1,270.00	8,053.72	9,323.72	3,650.00	120.55		3,770.55	5,553.17
Gamble, H. D	Pennsylvania, western	Pittsburg	1,275.40	1,628.25	2,903.65	904.50	21.00		925.50	1,978.15
Mitchell, Max L	do	Williamsport *b*								
Cross, William P	Rhode Island	Providence	1,266.30	887.45	2,153.75					2,153.75
Hagood, J. E	South Carolina	Charleston	2,581.75	1,841.51	4,423.26	944.00	163.90	121.55	1,229.45	3,193.81
Pendar, Oliver S	South Dakota	Sioux Falls	4,178.70	1,069.08	5,247.78	800.00			800.00	4,447.78
Taylor, H. H	Tennessee, eastern	Knoxville	6,196.00	4,157.06	10,353.06	5,275.96	180.45	100.00	5,556.41	4,796.65
Doak, H. M	Tennessee, middle	Nashville	5,583.58	1,037.70	6,621.28	1,518.25	233.90	74.60	1,826.75	4,794.53
Clough, John B	Tennessee, western	Memphis	2,116.50	1,519.95	3,636.45	240.00	35.30	15.00	290.30	3,346.15

a Clerks are paid a salary of $3,000 per annum and allowed to retain from their emoluments an additional compensation of $500 per annum.
b Clerk has rendered no return of the official emoluments. *c* Estimated for six months.
d Clerk does not report all the emoluments of the office, but only a sufficient amount to include his maximum and expenses.
e For two and a half months of the fiscal year. *f* For nine and a half months of the fiscal year.

EXHIBIT B.—*Emoluments and expenses of the offices of the clerks of the United States and Territorial courts, etc.*—Continued.

Name of clerk.	District.	Location.	Gross emoluments.			Expenses of office.				Net emoluments from which the clerks are paid.
			Earned from the United States.	Earned from individuals.	Total.	Clerk hire.	Stationery.	Rent, furniture, and sundries.	Total.	
Finks, J. H	Texas, northern	Waco	$228.30	$7,576.27	$7,804.57	$4,960.75	$362.97		$5,323.72	$2,480.85
Dart, Christopher	Texas, eastern	Galveston	8,802.92	8,369.52	17,172.44	11,350.35	400.40	$5.70	11,756.45	5,415.99
Hart, D. H	Texas, western	Austin	664.95	2,422.23	3,087.18	1,460.45	147.96		1,608.41	1,478.77
Johnson, Geo. E	Vermont	Burlington	1,036.05	317.95	1,354.00					1,354.00
Pleasant, M. F	Virginia, eastern	Richmond	1,891.45	1,767.49	3,658.94	1,800.00			1,800.00	1,858.94
Elliott, W. M	Virginia, western	Lynchburg	83.15	711.93	795.08	100.00	26.00		126.00	669.08
Martin, S. W	do	Danville	923.90	251.20	1,175.10					1,175.10
Fowler, S. C	do	Abingdon	1,078.95	1,070.35	2,149.30		31.50		31.50	2,117.80
Fletcher, A. K	do	Harrisonburg	337.78	371.30	709.08					709.08
Ayres, A. Reeves	Washington	Tacoma	3,499.27	5,338.67	9,837.94	5,536.22	129.15		5,665.37	4,172.57
Dellicker, L. B	West Virginia	Parkersburg	4,823.25	1,306.03	6,129.28	2,296.81	281.68	1.50	2,579.99	3,549.29
Kurtz, Edward	Wisconsin, eastern	Milwaukee	638.10	1,740.65	2,378.75	264.33			264.33	2,114.42
Stewart, F. M	Wisconsin, western	Madison	1,315.00	776.85	2,091.85					2,091.85
Peck, Harvey J	do	La Crosse	6.50	27.85	34.35					34.35
Kirk, Louis	Wyoming	Cheyenne	107.20	1,106.10	1,213.30					1,213.30
Total			126,455.19	249,465.84	376,921.03	138,023.95	10,184.34	3,140.36	151,348.65	225,572.38
DISTRICT COURTS.										
Trimble, N. W	Alabama, northern	Birmingham	8,205.98	92.50	8,298.48	1,800.00	342.80		2,142.80	6,155.68
Dimmick, J. W	Alabama, middle	Montgomery	5,164.50	409.35	5,573.85	1,200.00	111.25		1,311.25	4,262.60
Jones, Richard	Alabama, southern	Mobile	3,331.20	842.40	4,173.60	955.00	43.35		998.35	3,175.25
Goodrich, Ralph L	Arkansas, eastern	Little Rock	2,374.43	29.53	2,403.96					2,403.96
Gibson, Samuel	do	Texarkana	992.55	21.65	1,014.20					1,014.20
Crum, Emerson R	do	Helena	200.35	228.80	429.15					429.15
Wheeler, Stephen	Arkansas, western	Fort Smith	5,938.45	111.30	6,049.75	2,700.00	252.10		2,952.10	3,097.65
Hoffman, Southard	California, northern	San Francisco	5,001.62	5,189.65	10,191.27	4,380.00	207.70	192.00	4,779.70	5,411.57
Owens, E. H	California, southern	Los Angeles	5,330.20	371.45	5,701.65	10.50	39.95	90.53	140.98	5,560.67
Tupper, Francis W	Colorado	Denver	1,935.64	532.20	2,467.84	200.00	19.25		219.25	2,248.59
Marvin, E. E	Connecticut	Hartford	958.65	502.11	1,460.76					1,460.76
Smith, S. Rodmond	Delaware	Wilmington	1,007.05	1,258.02	2,265.07					2,265.07
McDougall, Jno	Florida, northern	Tallahassee	*a* 17.45		17.45					17.45
Potter, W. W	do	Pensacola	353.85	425.99	779.84					779.84
Locke, E O	Florida, southern	Key West and Jacksonville.	2,031.62	2,015.62	4,947.24	914.83	57.45		972.28	3,074.96
Carter, W. C	Georgia, northern	Atlanta	8,069.55	122.55	8,192.10	3,798.50	154.55	165.00	4,118.05	4,074.05
King, H. H	Georgia, southern	Savannah	2,968.10	227.85	3,195.95	1,475.20	30.50		1,505.70	1,690.25
Richardson, A. L	Idaho	Boise City	790.80		790.80					790.80
Burnham, S. W	Illinois, northern	Chicago	3,321.09	1,492.13	4,813.22	1,335.40			1,335.40	3,477.82

Converse, M. B	Illinois, southern	Springfield	4,884.22	242.35	5,126.57	1,100.00	56.00	1,156.00	3,970.57
Butler, Noble C	Indiana	Indianapolis	3,316.95	758.20	4,075.15	730.65	19.25	749.90	3,325.25
Van Duzee, A. J	Iowa, northern	Dubuque	3,448.08		3,448.08	354.27		354.27	3,093.81
Steadman, J. J	Iowa, southern	Council Bluffs	2,563.19		2,563.19				2,563.19
Sharitt, Geo. F	Kansas	Topeka	3,578.00	187.30	3,765.30	600.00		600.00	3,165.30
Chinn, W. J	Kentucky	Frankfort	907.25		907.25				907.25
Finnell, J. C	do	Covington	1,863.85	3.25	1,867.10	310.00		310.00	1,557.10
Speed, Thomas	do	Louisville	4,004.90	29.90	4,034.80	1,432.78	127.10	1,559.88	2,474.92
Puryear, J. R	do	Paducah	252.40	275.50	527.90				527.90
Mortimer, F. H	Louisiana, eastern	New Orleans	1,184.85	2,840.15	4,025.00	590.80	70.75	661.55	3,363.45
Beattie, J. B	Louisiana, western	Shreveport	47.90	52.50	100.40				100.40
Davis, A. H	Maine	Portland	1,282.57	330.27	1,612.84	23.35	.87	9.78	34.00	1,578.84
Chew, Jas. W	Maryland	Baltimore	1,084.38	1,815.72	2,900.10	1,000.00		1,000.00	1,900.10
Mason, F. H	Massachusetts	Boston	5,012.99	4,548.61	9,561.60	4,200.00	99.93	279.85	4.579.78	4,981.82
Davidson, D. J	Michigan, eastern	Detroit	1,986.95	1,088.41	3,075.36				3,075.36
McQuewan, J	Michigan, western	Grand Rapids	1,477.86	478.83	1,956.69				1,956.69
Spencer, William A	Minnesota	St. Paul	4,426.99	909.45	5,336.44	2,169.85	65.03	8.75	2,243.63	3,092.81
Burton, Jno. S	Mississippi, northern	Holly Springs	5,296.97	20.85	5,317.82	1,900.00	86.50	1,986.50	3,331.32
Mosely, L. B	Mississippi, southern	Jackson	4,607.13	1,695.95	6,303.08	2,536.14	178.50	2,714.64	3,588.44
Morgan, William	Missouri, eastern	St. Louis	2,441.04	578.70	3,019.74	625.00		625.00	2,394.74
Moore, Geo. C	do	Hannibal	236.00	15.25	251.25				251.25
Nuckols, J. M	Missouri, western	Kansas City	2,344.28	50.00	2,394.28				2,394.28
Lathim, Sarah A	do	Springfield	1,666.52	53.30	1,719.82	368.05	33.60	20.00	421.65	1,298.17
Geisberg, H. C	do	Jefferson City	203.11	53.00	256.11	34.50		34.50	221.61
Pollock, C. A	do	St. Joseph *b*							
Sproule, G. W	Montana	Helena	266.60	41.15	307.75				307.75
Dundy, E. S., jr	Nebraska	Omaha	4,936.05	160.00	5,096.05	1,260.00	163.90	35.00	1,458.90	3,637.15
Edwards, T. J	Nevada	Carson City	980.40	46.00	1,026.40				1,026.40
Shurtleff, F. E	New Hampshire	Concord	597.96	133.70	731.66				731.66
Cranmer, G. T	New Jersey	Trenton	1,713.90	5,812.97	7,526.87	1,800.00	149.35	1,949.35	5,577.52
Germain, C. B	New York, northern	Buffalo	3,234.00	1,259.64	4,493.64	1,566.45	40.95	10.31	1.617.71	2,875.93
Benedict, B. L	New York, eastern	Brooklyn	1,234.31	4,230.78	5,465.09	2,424.00	172.55	2,596.55	2,868.54
Lyman, Saml. H	New York, southern	New York	1,470.00	17,814.72	19,284.72	3,376.00	531.88	3,589.30	7,497.18	11,787.54
Green, Geo., jr	North Carolina, eastern	Newbern	508.37	53.35	561.72				561.72
Shaw, W. H	do	Wilmington	907.22	25.25	932.47				932.47
Brooks, Wm. C	do	Elizabeth City *b*							
Cowles, H. C	North Carolina, western	Statesville	5,440.35		5,440.35	770.25	145.55	915.80	4,524.55
Trogdon, Sam'l L	do	Greensboro	3,130.01	8.25	3,138.26	215.00	78.14	7.50	300.64	2,837.62
Patterson, R. O	do	Ashville	10,876.91	11.05	10,887.96	3,550.00	294.65	3,844.65	7,043.31
Montgomery, J. A	South Dakota	Fargo	4,076.80	103.00	4,179.80				4,179.80
Carleton, H. F	Ohio	Cleveland	2,967.90	2,024.83	4,992.73	1,616.45	80.23	72.00	1,768.68	3,224.05
Cowen, Benj. R	do	Cincinnati	2,932.15	482.05	3,414.20	948.90	71.30	25.00	1,045.20	2,369.00
Lamson, R. B	Oregon	Portland	3,893.00	692.43	4,585.43	200.00	2.55	54.40	256.95	4,328.48
Lincoln, C. S	Pennsylvania, eastern	Philadelphia	1,884.90	8,311.85	10,196.75	4,300.00	38.08	4,338.08	5,858.67
Lindsey, W. T	Pennsylvania, western	Pittsburg	1,971.95	2,632.31	4.604.26	1,108.15	198.75	73.95	1,380.85	3,223.41
Cross, Wm. P	Rhode Island	Providence	611.85	550.95	1,162.80				1,162.80
Seabrook, E. M	South Carolina	Charleston	5,158.90	156.63	5,315.53	1,593.00	109.44	1,702.44	3,613.09
Mellette, C. E	South Dakota	Sioux Falls	7,351.67	24.10	7,375.77	2,850.00	188.80	3,038.80	4,336.97
Humes, A. R	Tennessee, eastern	Knoxville	670.60	85.29	755.89				755.89
Campbell, E. R	Tennessee, middle	Nashville	1,900.33	40.65	1,940.98				1,940.98

a From December 4 to 31, 1894, inclusive.

b Clerk has rendered no return of the official emoluments.

EXHIBIT B.—*Emoluments and expenses of the offices of the clerks of the United States and Territorial courts, etc.*—Continued.

Name of clerk.	District.	Location.	Gross emoluments.			Expenses of office.				Net emoluments from which the clerks are paid.
			Earned from the United States.	Earned from individuals.	Total.	Clerk hire.	Stationery.	Rent, furniture, and sundries.	Total.	
Clough, J. B	Tennessee, western	Memphis *a*	$2,898.20	$92.30	$2,990.50	$360.00	$78.40	$60.00	$498.40	$2,492.10
Finks, J. H	Texas, northern	Waco	2,266.52	48.40	2,314.92					2,314.92
Brooks, A. D	Texas, eastern	Paris	7,871.92	1.60	7,873.52	3,400.00	216.55		3,616.55	4,256.97
Dart, Christopher	do	Galveston	720.83	447.70	1,168.53	100.00	20.20		120.20	1,048.33
Parish, D. W	do	Tyler	631.25	29.15	660.40					660.40
Singleton, W. E	do	Jefferson	251.70		251.70			25.00	25.00	226.70
Hart, D. H	Texas, western	Austin	2,812.30	540.68	3,352.98	1,685.10	98.46		1,783.56	1,569.42
Johnson, Geo. E	Vermont	Burlington	95.25	272.55	367.80					367.80
Fowler, J. S	Virginia, eastern	Alexandria	204.90	275.47	480.37					480.37
Flegenheimer, H	do	Richmond	1,704.75	170.40	1,875.15					1,875.15
Ackiss, H. S	do	Norfolk	1,718.00	1,282.09	3,000.09					3,000.09
Elliott, W. M	Virginia, western	Lynchburg	1,500.40	1,458.10	2,958.50	300.00	37.20		337.20	2,621.30
Martin, S. W	do	Danville	2,656.28	19.50	2,675.78	275.00			275.00	2,400.78
Fowler, I. C	do	Abingdon	3,748.61	7.45	3,756.06	1,300.00			1,300.00	2,456.06
Fletcher, A. K	do	Harrisonburg	596.26	11.65	607.91					607.91
Hopkins, R. M	Washington	Seattle	4,982.40	2,179.63	7,162.03	4,187.65			4,187.65	2,974.38
Moore, Jasper Y	West Virginia	Clarksburg	6,576.21	56.49	6,632.70	2,200.00			2,200.00	4,432.70
Kurtz, Edward	Wisconsin, eastern	Milwaukee	1,974.95	619.75	2,594.70	130.00			130.00	2,464.70
Stewart, F. M	Wisconsin, western	Madison	624.74	54.00	678.74					678.74
Peck, Harvey J	do	La Crosse	20.00		20.00					20.00
Kirk, Louis	Wyoming	Cheyenne	1,137.60	36.40	1,174.00					1,174.00
Total			229,820.66	82,204.85	312,025.51	78,260.77	4,713.36	4,718.37	87,692.50	224,333.01
TERRITORIAL COURTS.										
Supreme courts.										
Alexander, J. L. B	Arizona	Phœnix	560.60		560.60					560.60
Wyllys, Geo. L	New Mexico	Santa Fe	753.60	136.05	889.65					889.65
Jones, Edgar J	Oklahoma	Guthrie	398.10	1,967.62	2,365.72					2,365.72
Bache, Jos. P	Utah	Salt Lake City	33.80	1,950.00	1,983.80					1,983.80
Total			1,746.10	4,053.67	5,799.77					5,799.77
District courts.										
Halbert, A. J	Arizona	Tucson	2,998.40	60.15	3,058.55	1,050.00			1,050.00	2,008.55
Weedin, T. F	do	Florence	1,684.75	25.00	1,709.75					1,709.75
Walker, J. E	do	Phœnix	2,690.30	513.50	3,203.80					3,203.80

Herndon, A. J	do	Prescott	1,797.85		1,797.85				1,797.85
Wyllys, Geo. L	New Mexico	Santa Fe	1,010.50	3.40	1,013.90				1,013.90
Marrow, O. N	do	Albuquerque	1,856.00	939.00	2,795.00				2,795.00
Lenoir, L. W	do	Las Cruces *b*							
Martinez, Felix	do	Las Vegas	2,605.75	23.70	2,629.45				2,629.45
Garner, Jno. W	do	Socorro	1,969.80	346.60	2,316.40				2,316.40
Pitts, Louis E	Oklahoma	Stillwater	4,566.15	4,302.95	8,869.10	5,360.00		5,360.00	3,509.10
Hegler, Benj. F	do	El Reno	2,766.05	300.70	3,066.75	1,319.85		1,319.85	1,746.90
Ebey, W. H	do	Oklahoma City	6,370.10	226.00	6,596.10	4,927.73	178.00	5,105.73	1,490.37
Havighorst, Jno. H	do	Perry *c*	5,992.65		5,992.65	5,422.13	96.70	73.30	5,592.13	400.52
McClelland, J. C	do	Pond Creek	5,631.00	2,884.70	8,515.70	4,244.65	191.00		4,435.65	4,080.05
Beasley, J. W	Utah	Provo	1,412.00	1,728.00	3,140.00	789.16	25.00		814.16	2,325.84
Cook, W. L	do	Beaver	694.03	1,066.00	1,760.03	116.50	20.00	13.00	149.50	1,610.53
Dunbar, D. C	do	Salt Lake City	2,475.95		2,475.95	1,800.00	55.80	30.00	1,885.80	590.15
Perry, D. H	do	Ogden	1,679.09	3,171.65	4,850.74	1,505.85	44.85	52.50	1,603.20	3,247.54
Total			48,200.37	15,591.35	63,791.72	26,535.87	611.35	168.80	27,316.02	36,475.70

SUMMARY.

Circuit courts of appeals			28,152.62				9,772.21	18,380.41
Circuit courts of the United States	126,455.19	249,465.84	376,921.03	138,023.95	10,184.34	3,140.36	151,348.65	225,572.38
District courts of the United States	229,820.66	82,204.85	312,025.51	78,260.77	4,713.36	4,718.37	87,692.50	224,333.01
Supreme courts of the Territories	1,746.10	4,053.67	5,799.77					5,799.77
District courts of the Territories	48,200.37	15,591.35	63,791.72	26,535.87	611.35	168.80	27,316.02	36,475.70
Total			786,690.65				276,129.38	510,561.27

a Estimated for six months.
b Clerk has rendered no return of the official emoluments.
c Clerk does not report the amount of emoluments in Territorial cases.

This table does not include the courts in the District of Columbia, Alaska, nor Indian Territory, as in those courts the clerks are paid a per annum compensation.

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895 by commissioners of the circuit courts and others acting as such, as shown by the accounts rendered to the Department of Justice.*

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Alexander, C. D	Attalla	Alabama, northern	$4,388.80		
Bone, J. H	Huntsville	do	80.50		
Burney, W. W	Birmingham	do	1,756.30		
Cooper, D. N	Russellville	do	1,365.85		
Green, Ignatius		do	353.75		
Greenleaf, E. E	Huntsville	do	1,225.55		
Hanlin, W. C		do	277.30		
Hunter, W. H	Birmingham	do	142.15		
Jaggars, J. W	Hartsells	do	231.38		
McCullough, H. M	Huntsville	do	1,465.95		
Mosely, R. A	Birmingham	do	487.45		
Mullen, Samuel		do	179.15		
Nix, J. J		do	584.35		
Porter, J. T		do	382.50		
Randolph, G. B	Anniston	do	2,019.30		
Sheilds, J. B	Jasper	do	2,172.95		
Smith, G. H	Florence	do	545.90		
Wilson, H. A	Birmingham	do	3,422.80		
				$21,081.93	
Bishop, J. L	Selma	Alabama, middle	213.10		
Booth, Henry	Montgomery	do	1,605.05		
Samford, T. D		do	815.70		
Seals, Benjamin P	Montgomery	do	2,804.75		
Smith, Douglas	Opelika	do	1,050.60		
Stratton, A. E	Montgomery	do	2,040.85		
Watts, J. W	do	do	1,654.25		
				10,184.30	
Clarke, N. R	Mobile	Alabama, southern	2,149.70		
Henderson, Charles D	Brewton	do	53.55		
Jones, Richard	Mobile	do	20.00		
Lowell, W. C		do	90.39		
McKinstry, W. D	Mobile	do	2,962.08		
Ulmer, Oliver C		do	147.00		
				5,422.72	
					$36,688.95
Andrews, Henry F	Prescott	Arizona	198.30		
Blakley, W. G	Kingman	do	382.60		
Chalmers, David G		do	213.40		
Crenshaw, J. W	Phœnix	do	1,141.70		
Criswell, O. N	Globe	do	18.25		
Culver, William H		do	12.90		
Duncan, J. F	Tombstone	do	155.70		
Gibson, Oscar		do	131.10		
Meyer, Charles H		do	27.85		
Satterwhite, T. D	Tucson	do	773.10		
Sykes, Eugene K		do	174.30		
Taylor, J. S		do	172.40		
Weedin, Thomas F	Florence	do	80.90		
Wilson, Thomas F	Tucson	do	53.90		
				3,537.40	
					3,537.40
Burnett, A. L	Pine Bluff	Arkansas, eastern	199.90		
Burns, J. F		do	16.50		
Crum, E. R	Helena	do	75.90		
Farley, A. E		do	29.20		
Gibson, Samuel	Texarkana	do	324.83		
Goodrich, R. L	Little Rock	do	289.00		
Hart, J. P	Arkadelphia	do	198.50		
Jackson, N. P		do	12.90		
O'Hair, J. T	Little Rock	do	1,545.90		
Orr, Thomas	Texarkana	do	9.55		
Thane, H	Arkansas City	do	78.45		
				2,780.63	
Bethell, T. R		Arkansas, western	6.50		
Brizzolara, Jas	Fort Smith	do	3,462.55		
Dill, H. H		do	29.75		
Harrison, E. B	Fayetteville	do	1,059.55		
Wheeler, Stephen	Fort Smith	do	6,032.70		
				10,591.05	
					13,371.68
Beaizley, W. B	San Francisco	California, northern	29.90		
Clark, C. O		do	3.00		
Devine, Jas. B		do	315.00		
Drescher, Phillip E		do	3.00		
Emerson, M. F		do	3.00		
Gass, John W		do	3.00		
Heacock, E. H	San Francisco	do	1,425.80		
Lawrence, D. W		do	3.00		
Manley, J. S	San Francisco	do	70.00		
Thomas, J. E		do	3.00		
				1,858.70	

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Day, W. S		California, southern	$11.75		
Knoles, S. S		do	90.00		
Prince, Dante R		do	26.45		
Sweet, A. H	San Diego	do	244.55		
Van Dyke, Wm. M	Los Angeles	do	1,113.35		
				$1,486.10	
					$3,344.80
Adams, John		Colorado	6.95		
Beaumont, Allen J	Pueblo	do	125.30		
Capron, A. B	Denver	do	501.15		
Clowes, George A		do	5.00		
Cook, R. G	Trinidad	do	54.15		
Hamilton, J. C		do	8.40		
Hinsdale, Sanford C	Denver	do	390.20		
Miller, Giles		do	4.90		
Newcomb, C. T	Durango	do	36.65		
Steele, John M		do	21.45		
Streams, C. J		do	3.65		
Sweeney, John P	Grand Junction	do	7.25		
Warner, George W		do	6.85		
Webster, Alex		do	80		
Williams, M. B		do	20.05		
Withers, R. G	Aspen	do	7.30		
				1,200.05	
					1,200.05
Butler, C. W	New London	Connecticut	36.85		
Marvin, E. E	Hartford	do	195.85		
Wright, W. A	Norwalk	do	266.85		
				499.55	
					499.55
Macallister, Samuel A	Wilmington	Delaware	9.60		
Smith, S. Rodmond	do	do	54.80		
				64.40	
					64.40
Crinkshank, John	Washington	District of Columbia	6.25		
Mills, S. C	do	do	559.15		
				565.40	
					565.40
Green, Loven H		Florida, northern	106.55		
McDougall, John		do	113.05		
McGourin, T. F		do	603.15		
Porter, John T		do	700.25		
Porter, W. W	Pensacola	do	561.40		
Sheppard, W. B		do	25.85		
Tunison, B. C	Pensacola	do	2,404.05		
				4,514.30	
Alvarez, Ramon	Key West	Florida, southern	92.20		
Crane, H. L	Tampa	do	286.65		
De Coster, N. H	Charlotte Harbor	do	45.20		
Eagan, Dennis	Jacksonville	do	317.35		
Fowler, Geo. P	Palatka	do	233.85		
Hall, Thos. A		do	38.15		
Jackson, B. F		do	12.44		
Locke, E. O	Key West and Jacksonville.	do	269.45		
Oliphant, H. K		do	2.20		
Partridge, Chas. S		do	161.25		
Smith, Columbus B		do	52.05		
				1,510.79	
					6,025.09
Baker, Rufe H	Dahlonega	Georgia, northern	757.70		
Berrong, J. M	Hiawassee	do	547.05		
Broyles, R. N	Atlanta	do	4,258.60		
Carter, W. C	do	do	226.65		
Chastain, J. R	Morgantown	do	1,254.40		
Collins, Aaron	Cartersville	do	1,463.80		
Dillard, B. R	Clayton	do	188.25		
Fuller, O. C	Atlanta	do	255.50		
Gaston, J. B	Gainesville	do	3,095.15		
Hamilton, H. C	Dalton	do	1,345.40		
Kinnebrew, E. C	Athens	do	960.60		
Lester, David L	Marietta	do	853.90		
Moore, W. K		do	1,330.80		
Simmons, Jno. F	Jasper	do	2,707.55		
Thomas, Grisby E	Columbus	do	21.55		
Wellborn, E. E	Blairsville	do	173.05		
Wellborn, E. E	do	do	231.55		
Williams, Wheeler	Columbus	do	186.45		
				19,857.95	
Calvin, Geo. K	Augusta	Georgia, southern	506.15		
Connolly, M. A	Savannah	do	932.10		
Erwin, Lenoir M	Macon	do	1,880.45		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amonnt of accounts.	Total for the district.	Total for the State.
Lehman, Jno. C		Georgia, southern	$175.45		
Martin, F. R	Macon	do	407.10		
Roddenbery, S. A		do	176.20		
				$4,077.45	
					$23,935.40
Angel, A. E	Wallace	Idaho	10.00		
Barge, W. G		do	2.25		
Brown, Jonas W	Boise City	do	159.05		
Lindsay, M. S		do	89.60		
Mullaney, Jas		do	31.65		
Pickett, G. G	Moscow	do	85.60		
Whittier, E. S	Pocatello	do	11.85		
				390.00	
					390.00
Foot, Mark A		Illinois, northern	124.25		
Howe, F. C		do	143.10		
Hoyne, Phillip A	Chicago	do	958.50		
Humphrey, Wirt E		do	869.00		
Kemp, Geo. W	Chicago	do	65.85		
Lovett, Robt. H	Peoria	do	485.60		
Pickard, Chas. R		do	315.40		
Wirt, Wm. B	Chicago	do	905.00		
				3,866.70	
Breese, Wm. M	Pinckneyville	Illinois, southern	6.93		
Caldwell, A. S	Carbondale	do	29.30		
Converse, M. B	Springfield	do	389.40		
Crenshaw, W. T	Shawneetown	do	14.75		
Duncan, G. P	Centralia	do	50.14		
Gevin, Jno. N	Effingham	do	12.85		
Kidd, F. W. S	Springfield	do	1,045.45		
Mitchell, Ed. J	Quincy	do	17.55		
Montray, J. I	Olney	do	30.85		
Payne, C. C	Benton	do	24.30		
Robinson, Jno. H	Cairo	do	178.15		
Wilber, Peter	Danville	do	3.60		
				1,803.27	
					5,669.97
Ayres, Alex. C	Indianapolis	Indiana	35.00		
Funk, Geo. W	Logansport	do	31.60		
Harrison, Jas. G	New Albany	do	162.50		
Leonard, Elmer	Fort Wayne	do	252.15		
Severson, Wilbur F	Lafayette	do	146.20		
Taylor, Alvah	Wabash	do	7.70		
Van Buren, W. A	Indianapolis	do	701.35		
Wartman, Jas. W	Evansville	do	112.70		
				1,449.20	
					1,449.20
Crooks, Thos. J	Vinita	Indian Territory	1,677.55		
Halley, Jno. H	Antlers	do	1,462.70		
Jackson, Wyman C	Muscogee	do	4,332.97		
McClure, Robt. L		do	903.10		
McCombs, J. G		do	1,089.50		
Mynatt, Prior L		do	145.60		
Reagan, Wm. R	Duncan	do	2,281.85		
Rutherford, Saml. M	Atoka	do	2,551.50		
Scott, Moran	Ardmore	do	2,964.00		
Thompson, Jos. B	Purcell	do	1,543.90		
Thompson, Wm. P	Tahlequah	do	793.45		
Wilkinson, Saml. A	South McAlester	do	4,247.45		
				23,993.57	
					23,993.57
Brown, W. D	Sioux City	Iowa, northern	21.75		
Francis, P. H	Cedar Rapids	do	898.75		
Henderson, T. G	Sioux City	do	680.50		
Hobbs, Alfred	Dubuque	do	923.85		
Johnston, W. H	Fort Dodge	do	404.80		
Rogers, J. A	Clarion	do	52.90		
				2,982.55	
Hunter, F. M	Ottumwa	Iowa, southern	1,635.30		
Leech, C. A	Keokuck	do	207.45		
Mason, E. R	Des Moines	do	1,706.90		
Steadman, J. J	Council Bluffs	do	1,332.00		
Withrow, W. S	Mount Pleasant	do	14.10		
				4,995.75	
					7,978.30
Chase, Geo. H		Kansas	44.10		
Clough, E. N. O	Leavenworth	do	279.60		
Daniels, C. W	Baxter Springs	do	218.85		
Grant, H. D	Independence	do	77.00		
Hanks, C. J		do	18.20		
Hicks, H. A		do	10.95		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Mileham, Jno	Topeka	Kansas	$101.40		
Mosher, S. P	Fort Scott	do	316.05		
Neale, Leroy	Chetopa	do	135.75		
Perry, Arthur C		do	716.35		
Wagener, E. A	Topeka	do	224.55		
Webb, L. H	Winfield	do	55.35		
				$2,198.15	
					$2,198.15
Bell, Edward M	Owensboro	Kentucky	164.60		
Black, J. D		do	244.45		
Campbell, J. W	Carlisle	do	18.55		
Chinn, W. J	Frankfort	do	81.30		
Cochran, F. D	Covington	do	113.85		
Cunningham, R. H	Henderson	do	78.70		
Curd, Will C	Somerset	do	305.35		
Dohoney, R. B	Glasgow	do	93.85		
Falkenburg, E. S	Jamestown	do	241.00		
Faris, C. B	London	do	702.90		
Finnell, J. C	Covington	do	86.10		
Friend, R. S	Prestonburg	do	1,129.75		
Gregory, H. D		do	342.85		
Hardy, G. S	Russellville	do	319.65		
Hasting, H. C	Paris	do	147.75		
Hill, R. D	Williamsburg	do	71.70		
Hollingsworth, W. M	Pineville	do	972.35		
Leonard, Geo	Newport	do	10.55		
McKenzie, J. B	Hopkinsville	do	9.55		
Mansfield. W. W	Bowling Green	do	788.25		
Marcum, J. B	Jackson	do	762.58		
Middleton, J. H	Harlan	do	1,166.48		
Patrick, A. T	Salyersville	do	288.10		
Puryear, J. R	Paducah	do	123.20		
Rogers, T. F	Mount Sterling	do	1,238.50		
Sanders, Ed T	Monticello	do	456.20		
Scott, C. S	Lexington	do	43.57		
Speed, Thos	Louisville	do	597.45		
Stewart, J. W. M	Louisa	do	413.85		
Wickliffe, J. D	Bardstown	do	60.55		
				11,073.53	
					11,073.53
Carter, Henry J	New Orleans	Louisiana, eastern	32.00		
Craig, Emmet D	do	do	233.50		
Wright, Wm	do	do	641.00		
				906.50	
Beattie, J. B	Shreveport	Louisiana, western	15.60		
Bloomfield, Benj	Opelousas	do	25.00		
Ryan, Jno. C	Alexandria	do	57.85		
Slattery, J. B	Shreveport	do	340.20		
Weaks, Jas. C	Monroe	do	71.60		
				510.25	
					1,416.75
Bradley, Wm. M	Portland	Maine	403.35		
Choate, W. S	Augusta	do	327.40		
Hamlin, Chas	Bangor	do	101.30		
Rand, E. M			19.70		
				851.75	
					851.75
Bond, Geo. M	Baltimore	Maryland	172.40		
Goldsborough, E. Y	Frederick	do	115.75		
Hagner, Alex R	Hagerstown	do	29.00		
Randall, D. R	Annapolis	do	153.70		
Rogers, R. L	Baltimore	do	1,256.25		
				1,727.10	
					1,727.10
Aldrich, Chas. F	Worcester	Massachusetts	79.15		
Fiske, Francis S	Boston	do	5,120.20		
Rice, Jno. L	Springfield	do	41.70		
				5,241.05	
					5,241.05
Graves, Jno	Detroit	Michigan, eastern	1,153.10		
Harris, E. N	Port Huron	do	46.85		
McMath, J. W	Bay City	do	104.95		
				1,304.90	
Clapp, Geo. S	Niles	Michigan, western	8.95		
Colwell, Jno. A	Sault Ste. Marie	do	47.75		
Conners, Chas		do	21.55		
Constantine, S. M	Three Rivers	do	8.80		
Finn, Michael	Hancock	do	28.05		
Gray, E. L		do	6.35		
McQuewan, Jno	Grand Rapids	do	368.05		
Macdonald, R	Muskegon	do	13.28		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for State.
Mead, Frank D	Escanaba	Michigan, western	$9.45		
Moore, Francis M	Marquette	do	81.40		
Morris, Louis E		do	4.50		
Pagelson, C. F	Grand Havens	do	7.55		
Post, Henry D	Holland	do	29.40		
Roberts, Lorin	Traverse City	do	70.45		
Snow, Jas	Muskegon	do	13.70		
Thew, Joseph	Allegan	do	10.60		
Williams, A	Ionia	do	7.70		
Winsor, Lou B	Reed City	do	25.80		
				$763.33	
					$2,068.23
Bowen, Millard F	Minneapolis	Minnesota	235.95		
Carey, J. R	Duluth	do	204.70		
Corliss, E. E	Fergus Falls	do	79.39		
Griffin, Darius S	Detroit	do	814.20		
McCafferty, J. J	St. Paul	do	97.00		
Morey, C. A	Winona	do	40.65		
Nethaway, Jno. C	Stillwater	do	85.00		
Ogle, Jno. B	Mankato	do	15.25		
Presnell, Thos	Duluth	do	306.40		
Rohrer, Daniel		do	22.50		
Spencer, Wm. A	St. Paul	do	264.45		
Tighe, Ambrose	do	do	234.85		
				2,400.34	
					2,400.34
Boothe, J. B	Sardis	Mississippi, northern	12.45		
Jarvis, Lee	New Albany	do	29.83		
Kimmons, Jno. H	Oxford	do	18.30		
Sims, B. C	Aberdeen	do	441.45		
Thrasher, Jno. R		do	81.25		
Wood, Thos. J		do	9.90		
				593.18	
Brandon, Girard	Natchez	Mississippi, southern	74.60		
Henderson, W. G		do	17.35		
Lehman, Chas	Vicksburg	do	28.40		
Little, F. W	do	do	7.35		
Lowenberg, L. M	do	do	11.05		
Mosely, L. B	Jackson	do	109.40		
Phelps, C	Mississippi City	do	32.00		
Watts, S. B	Meridian	do	524.60		
Winter, R. H	Jackson	do	210.15		
				1,014.90	
					1,608.08
Crawford, T. L	St. Louis	Missouri, eastern	344.65		
Fox, Burwell	Ironton	do	267.85		
Gray, Jas. R		do	1,474.85		
King, Chas. M	Shelbina	do	7.70		
Mitchell, R. G	Macon City	do	18.80		
Moore, George C		do	109.95		
Morgan, Wm	St. Louis	do	34.00		
Music, John R	Kirksville	do	70.64		
O'Bryan, J. L	Poplar Bluff	do	772.80		
Thies, Adam	Hannibal	do	42.40		
				3,143.64	
Birdseye, J. T	Nevada	Missouri, western	33.55		
Birge, J. W		do	1.00		
Chapman, Lewis A	Chillicothe	do	359.85		
Corse, A	Rolla	do	20.65		
Geisberg, H. C	Jefferson City	do	132.35		
Jeffries, Wm. R		do	67.30		
Jones, McLain	Springfield	do	1,959.95		
Mitchell, E. Y		do	48.70		
Nuckols, Jno. M	Kansas City	do	145.55		
Parry, Jno. M	do	do	761.80		
Peabody, C. A	do	do	720.75		
Perkins, J. D	Carthage	do	582.10		
Pollock, C. A	St. Joseph	do	783.00		
Sigler, J. A	West Plains	do	13.03		
Silsby, Jas	Springfield	do	889.86		
Thomas, Wm. O		do	77.60		
				6,597.04	
					9,740.68
Dingevon, Jas	Butte	Montana	21.40		
Fleischhauer, W. G	Bozeman	do	32.35		
Garrett, E. C	Piegan	do	63.05		
Gray, F. L	Kalispell	do	6.60		
Hall, C. E	Glasgow	do	16.65		
Miller, J. K	Columbia Falls	do	17.00		
Sproule, Geo. W	Helena	do	127.60		
				354.65	
					354.65

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Anderson, G	Omaha	Nebraska	$92.35		
Billingsley, L. W	Lincoln	do	260.97		
Chambers, B. F		do	5.20		
Cobbey, J. E	Beatrice	do	43.15		
Dundy, E. S., jr	Omaha	do	252.70		
Frank, Elmer D	do	do	137.15		
Holcomb, C. H		do	3.45		
Hurst, W. E		do	5.45		
Johnson, E. H	Rulo	do	2.60		
Kelley, J. E		do	7.20		
Peniston, W. S	North Platte	do	19.20		
Seymour, C. W	Nebraska City	do	18.15		
Treat, C. H		do	7.50		
Westover, W. H	David City	do	8.15		
				$863.22	
					$863.22
Archer, E. S	Winnemucca	Nevada	161.48		
Edwards, T. J	Carson City	do	224.85		
Henly, S. M		do	7.65		
Palmer, Jno. A	Carlin	do	482.10		
Waldo, H. A	Eureka	do	116.90		
Weller, L. A	Austin	do	23.30		
Whitcher, J. W		do	37.75		
Wilkins, C. F		do	18.00		
				1,072.03	
					1,072.03
Crawford, J. G	Manchester	New Hampshire	56.30		
Shurtleff, F. E	Concord	do	23.15		
				79.45	
					79.45
Cassady, Jas. M	Camden	New Jersey	127.70		
Rowe, Linsly	Jersey City	do	97.20		
Whitehead	Newark	do	504.25		
				729.15	
					729.15
Bryan, R. W. D	Albuquerque	New Mexico	2,056.80		
Cameron, J. O		do	292.40		
Clancy, C. H		do	98.80		
Emmett, L	Las Vegas	do	93.20		
De Baca, A. C	Clayton	do	34.80		
De Baca, M. C	Las Vegas	do	926.60		
Kendall, A. L	Santa Fe	do	40.00		
Leaby, J	Raton	do	32.90		
McLenathan, C. H		do	150.00		
Otero, M. A	Las Vegas	do	183.40		
Pino, Pinto		do	148.50		
Pope, W. H		do	73.90		
Roberts, D. W	Nogal	do	84.50		
Rogers, A. C	Roswell	do	124.20		
Sloan, W. B	Santa Fe	do	183.00		
Stalcup, W. K		do	165.75		
Williams, W. S	Socorro	do	242.80		
				4,931.55	
					4,931.55
Adams, Chas. L	Auburn	New York, northern	186.00		
Davidson, J. T	Elmira	do	222.70		
Davison, Chas. M	Saratoga	do	125.00		
Fitzgerald, H. D	Buffalo	do	602.75		
Frothingham, W	Albany	do	77.80		
Getty, Alfred B	Oswego	do	267.35		
Gilbert, W. W	Rochester	do	2,668.80		
Hazeltine, Abner	Jamestown	do	2,949.17		
Husbands, J. D	Rochester	do	31.30		
Jenkins, F. W	Binghamton	do	63.50		
Landon, Jno. M	Troy	do	606.70		
Mead, C. W	Albany	do	5.00		
Moore, De Witt C	Johnstown	do	26.30		
Northrup, A. Judd	Syracuse	do	151.50		
Porter, D. S	Glens Falls	do	47.70		
Pound, Jno. E	Lockport	do	827.65		
Rowland, E. A	Rome	do	234.60		
Strong, E. L	Ogdensburg	do	116.00		
Townsend, Rufus M	Troy	do	692.09		
Ullman, L. L	Buffalo	do	331.50		
Wheeler, S. L	Plattsburg	do	164.45		
Woodward, Wm. V. S	do	do	136.25		
				10,534.11	
Bellows, H. S	Brooklyn	New York, eastern	1,508.50		
Benedict, B. L	do	do	135.95		
Morle, R. P	do	do	1,344.95		
				2.989.40	

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Alexander, Thos	New York	New York, southern	$482.40		
Hitchcock, S. M	do	do	295.70		
Shields, Jno. A	do	do	877.05		
				$1,655.15	
					$15,178.66
Belvin, W. A	Henderson	North Carolina, eastern.	53.90		
Bunting, R. H	Wilmington	do	185.35		
Burns, J. C		do	7.30		
Campbell, A. W	Carthage	do	449.15		
Carroll, G. W	Magnolia	do	161.75		
Cox, W. H	Coxville	do	555.05		
Culpepper, M. B	Elizabeth City	do	27.45		
Fuller, D. W	Smithfield	do	121.70		
Hanner, O. A		do	602.90		
Harrell, H. B	Weldon	do	11.85		
Hill, E. G	Newbern	do	121.70		
Holland, J. B	Dunn	do	625.47		
Hubbard, L. C	Clinton	do	227.50		
Jackson, J. J		do	205.05		
Johnson, Carson	Tysors Mills	do	368.20		
Lancaster, J. W	Wilson	do	24.50		
Lansdell, J. J	Roxboro	do	138.60		
McLean, B. F	Maxton	do	1,042.35		
Makepeace, G. H	Sanford	do	467.55		
Pender, Jas	Tarboro	do	34.30		
Perry, D. E	Kinston	do	78.40		
Potter, J. H	Beaufort	do	9.45		
Proctor, E. K	Lumberton	do	146.60		
Purnell, Thos. R	Raleigh	do	231.50		
Ramsey, N. A		do	451.20		
Register, H. B	Whiteville	do	415.80		
Robins, W. H	Nashville	do	46.75		
Royster, Vitrurius	Raleigh	do	1,365.65		
Simmons, E. S	Washington	do	254.25		
Smith, Jno. X	Edonia	do	74.50		
Whitaker, D. W		do	914.25		
Wood, Jas. K	Oxford	do	594.95		
Woodard, S. A		do	351.10		
				10,366.02	
Allison, A. B		North Carolina, western.	1,977.10		
Anderson, J. C	Statesville	do	118.95		
Baker, C. F	Bakersville	do	1,236.80		
Barrett, H. J		do	149.75		
Beckerdite, H. L	Winston	do	45.50		
Bessent, J. C		do	74.15		
Blackburn, E. S	Jefferson	do	255.60		
Bostain, J. W	Albemarle	do	297.15		
Brandon, H. F		do	64.50		
Brittian, J. T	Ashboro	do	351.60		
Bryan, W. L	Boone	do	326.40		
Burton, J. W		do	1,613.25		
Cabaniss, H	Shelby	do	599.85		
Calder, J. W	Harpers Cross Roads.	do	474.95		
Campbell, A. W	Carthage	do	26.45		
Carson, C. J	Taylorsville	do	371.65		
Churchill, L. F	Rutherfordton	do	334.65		
Conley, G. W	Lenoir	do	803.25		
Cowles, H. C	Statesville	do	62.05		
Cranor, Jno. S	Wilkesboro	do	1,520.10		
Cunningham, E. K		do	755.85		
Davies, D. D	Collowhee	do	766.40		
Dula, T. J	Wilkesboro	do	86.50		
Eaves, G. G	Marion	do	712.10		
Faucett, W. H	Waynesville	do	1,833.20		
Fisher, Jno. S	Tryon	do	108.85		
Fowlkes, W. A	Delphi	do	9.70		
Greene, L. L	Boone	do	52.05		
Haigler, G. H	Hayesville	do	544.45		
Hall, E. F	Reidsville	do	217.35		
Hardin, Frank	Gap Creek	do	211.95		
Harrison, J. F	Mount Airy	do	417.95		
Henry, Saml	Murphy	do	1,275.51		
Hill, W. J	Concord	do	48.45		
Hood, W. A	Hendersonville	do	437.85		
Jackson, J. J		do	169.20		
Johnson, Carson	Tysors Mills	do	82.50		
Jones, R. M	Hillsboro	do	37.30		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Lewellyn, R. J	Dobson	North Carolina, western.	$249.05		
Lovill, W. R	Sutherland	do	706.05		
McBrayer, J. H	Shelby	do	704.50		
McKesson, C. F	Morgantown	do	349.15		
Martin, N. A	Danbury	do	417.25		
Matheson, J. P		do	285.35		
Maxwell, D. G	Charlotte	do	244.00		
Moore, A. B	Troy	do	201.50		
Neal, J. Z		do	88.20		
Neill, Geo. C	Brevard	do	317.70		
Patterson, J. T	Murphy	do	2,188.95		
Pritchard, J. R	Elk Park	do	454.05		
Ramsey, N. A	Durham	do	167.75		
Reece, D. M		do	451.95		
Rose, W. A	Wadesboro	do	16.90		
Rosemond, J. T	Hillsboro	do	353.70		
Sellars, B. A		do	74.10		
Sherrill, S. P	Lincolnton	do	74.75		
Slaughter, N. M. E	Robbinsville	do	521.20		
Smathers, C. L	Clyde	do	484.35		
Smith, Jas	Lexington	do	6.60		
Summey, A. T	Asheville	do	268.10		
Thompson, Jas. I	Sparta	do	126.25		
Thorne, J. A	Mills Springs	do	62.73		
Totten, L. M	Hickory	do	1,291.00		
Trogdon, Saml. L	Greensboro	do	641.90		
Tweed, C. M	Marshall	do	1,569.00		
Walker, R. W	Virgil	do	8.30		
Wallace, Elbert	Wilkesboro	do	168.50		
Ward, Daniel		do	29.45		
Widby, J. R	Lenoir	do	358.65		
				$31,351.79	
					$41,717.81
Edwards, H. G	Fargo	North Dakota	14.25		
Hoskins, R. D	Bismarck	do	54.45		
Montgomery, J. A	Fargo	do	23.75		
Shaw, Benj	Mandan	do	124.65		
				217.10	
					217.10
Belford, Ford		Ohio, northern	38.00		
Jones, A. W		do	50.85		
Rickenbaugh, F. W	Toledo	do	648.05		
Taft, Fredk. L	Cleveland	do	175.30		
Uhl, Harrison J	do	do	93.60		
Willard, Thos. C	do	do	236.35		
Williams, A. J		do	186.45		
				1,428.60	
Campbell, Jno. V		Ohio, southern	99.85		
Chandler, N. S	Zanesville	do	100.08		
Cochran, A. P. L	Springfield	do	28.20		
Compton, J. M		do	25.80		
Devor, Elijah	Greenville	do	42.25		
Evans, Nelson W	Portsmouth	do	79.35		
Guyton, B. E	Marietta	do	532.80		
Hook, J. W		do	92.80		
Hooper, Henry	Cincinnati	do	466.05		
Johnson, A. H	Columbus	do	368.95		
Kennedy, Grafton C	Dayton	do	183.80		
King, W. A	Newark	do	35.35		
Lowry, V. C		do	62.35		
McMaken, J. J		do	253.55		
Matthews, E. P		do	76.65		
Roadarmour, A. L	Gallipolis	do	14.00		
				2,461.83	
					3,890.43
Beale, F. M	Newkirk	Oklahoma	2,404.50		
Benson, W. R	Kingfisher	do	40.00		
Biddison, A. J		do	263.20		
Bickel, H. M	Alva	do	2,429.90		
Connelly, J. D	El Reno	do	75.00		
Craggs, Jno	Anadarko	do	283.95		
Cunningham, T. B		do	1,201.65		
Deam, Wm		do	262.55		
Dill, D. S	Medford	do	234.15		
George, J. B		do	1,137.25		
Goodwin, T. G		do	59.30		
Gray, C		do	81.35		
Harlan, C. L	Waukomis	do	344.50		
Hendrix, W. F		do	10.00		
Leahy, T. J	Pawhuska	do	1,485.15		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
McMann, W. A		Oklahoma	$4.10		
Madden, D. B	Pond Creek	do	417.40		
Mason, W. H		do	214.00		
Maxey, J. H		do	59.80		
Morgan, J. M		do	445.25		
O'Bryan, T. L	Woodward	do	329.60		
Pendleton, W. S		do	1,649.10		
Robeson, J. W		do	11.00		
Ross, A. J		do	89.50		
Saunderson, J. T		do	4,768.31		
Shumate, W. N		do	25.00		
Stilwell, S. E		do	81.15		
Stinson, A. E	Cloud Chief	do	157.90		
Tebbe, E. F		do	2,163.75		
Thomas, W. W		do	2,220.02		
Trigg, Dan'l		do	9.75		
Wallis, L. N		do	684.35		
Wass, N. B	El Reno	do	1,925.70		
Wilkinson, Huger	Oklahoma City	do	2,419.05		
Wrightsman, C. J	Pawnee	do	4,751.40		
				$32,738.58	
					$32,738.58
Bean, H. J		Oregon	75.90		
Bruen, Jno. J		do	10.55		
Clark, Wm. F		do	4.25		
Cussans, R. J		do	4.10		
Deady, Paul R	Portland	do	332.40		
Hadley, A. M		do	2.25		
Holgate, H. L		do	12.75		
Huntington, J. M		do	160.10		
Irwin, S. G	Toledo	do	29.05		
Lamson, R. B	Portland	do	192.45		
Loughary, L	Roseburg	do	28.00		
Moore, F. L	Baker City	do	34.75		
Moore, S. W	Sweet Home	do	1.45		
Parrish, C. L	Linkville	do	17.40		
Sladen, J. A	Portland	do	365.10		
Smart, C. M		do	7.10		
Walton, J. J	Salem	do	18.20		
Wilson, E. E		do	2.25		
Woodward, Jno. H	Portland	do	89.60		
				1,387.65	
					1,387.65
Bell, Samuel	Philadelphia	Pennsylvania, eastern	539.70		
Craig, Wm. W	do	do	904.20		
Edmunds, H. R	do	do	198.20		
Kirkpatrick, M	Easton	do	62.35		
Montgomery, B. F		do	15.55		
Shryock, E. L		do	2.25		
				1,722.25	
Colborn, A. J	Scranton	Pennsylvania, western	103.55		
Echard, Jas		do	2.37		
Gillis, C. V		do	8.75		
Graffins, H. P	Altoona	do	465.35		
Grant, F. W	Erie	do	67.85		
Herron, D. S	Du Bois	do	20.35		
Hodson, W. B		do	4.95		
Lingenfelter, J. W	Bedford	do	66.40		
McCandless, S. C	Pittsburg	do	635.15		
Parmlee, Jas. O	Warren	do	10.00		
Reppert, E. H	Uniontown	do	37.90		
				1,422.62	
					3,144.87
Blodgett, J. T	Providence	Rhode Island	160.20	160.20	160.20
Butler, T. B	Union	South Carolina	1,159.05		
Calvert, A. B	Spartanburg	do	2,507.70		
Coit, J. C	Cheraw	do	524.15		
De Treville, W. J	Orangeburg	do	340.45		
Floyd, O		do	116.05		
Frierson, W. H	Anderson	do	1,217.60		
Gourdin, W. M	Charleston	do	135.65		
Harris, W. H. S	Jonesville	do	380.25		
Hart, G. W. S	Yorkville	do	676.45		
Hawthorne, J. G	Greenville	do	1,819.55		
Heyward, J. H	do	do	2,545.75		
Johnson, David		do	39.00		
Johnson, J. W	Marion	do	410.45		
Kinloch, G. F	Mount Pleasant	do	333.15		
Legare, S. A	Adams Run	do	128.70		
Lloyd, E. W	Florence	do	116.90		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
McKenzie, Lawrence	Hampton	South Carolina	$60.95		
McLaurin, Milton	Bennettsville	do	565.55		
Miller, J. A		do	52.50		
Moore, W. J	Cokesburg	do	570.00		
Morgan, T. R	Aiken	do	1,172.00		
Muller, J. A		do	51.32		
Norris, S. A	Sumter	do	376.00		
Poinier, S. T	Spartanburg	do	560.60		
Pride, C. J	Rock Hill	do	1,759.85		
Quattlebaum, C. P	Conway	do	528.90		
Ramey, W. D	Edgeville	do	1,466.30		
Reid, J. S	Newburg	do	437.44		
Rowe, D. J		do	52.95		
Sanders, H. E	Darlington	do	104.75		
Shelor, J. W	Walhalla	do	1,556.35		
Smith, J. W	Charleston	do	1,525.10		
Smith, S. P		do	1,329.05		
Thornley, J. L	Pickens	do	1,926.20		
Trescott, E. A		do	308.45		
Venning, Chas. S		do	468.40		
Wilson, J. S	Chester	do	257.45		
Witherspoon, B. I	Lancaster	do	602.10		
White, T. G	Beaufort	do	103.60		
Youngblood, E. H		do	693.95		
				$28,980.61	
					$28,980.61
Anderson, Walter	Hot Springs	South Dakota	540.70		
Call, L. S	do	do	175.60		
Grant, F. E	Huron	do	36.05		
Hoover, B. P	Gettysburg	do	17.90		
Lyon, W. H	Sioux Falls	do	182.80		
McLaughlin, F	Deadwood	do	147.05		
Morrow, C. C	Chamberlain	do	236.55		
Pattison, Terrell	Pierre	do	146.90		
White, E. T	Yankton	do	161.20		
				1,644.75	
					1,644.75
Barrett, W. F	Charleston	Tennessee, eastern	1,527.10		
Brown, L. W	Morristown	do	679.20		
Carter, J. T	Knoxville	do	3,016.20		
Coleman, H. F	Sneedville	do	197.45		
Cook, C. H	South Pittsburg	do	390.00		
Crawford, S. H		do	14.30		
Culton, J. W	Maryville	do	625.85		
Davis, James	Lee Valley	do	156.80		
Davis, J. R	Blackwater	do	141.90		
Donnelly, R. A	Mountain City	do	390.35		
Elrod, J. E		do	5.70		
Emmert, P. W	Erwin	do	747.55		
Ewing, H. O	Chattanooga	do	857.30		
Folsom, W. J	Elizabethtown	do	501.75		
Gorrell, G. W	Newport	do	1,299.40		
Hannah, H. H	Oliver Springs	do	198.80		
Harvey, C. H	Knoxville	do	2,418.90		
Hughes, H. Y	Tazewell	do	493.50		
Jarvis, H. C	Rogersville	do	469.80		
Jones, S. J	Rutledge	do	51.20		
Keebler, W. W	Johnson City	do	196.40		
Kelly, W. R	Meltabarger	do	271.90		
Kincaid, T. S		do	33.00		
Landstreet, John		do	167.35		
Lindsay, Isaac	Povo	do	542.25		
McGhee, J. B	Rex	do	240.51		
McMahan, M. B	Servierville	do	958.95		
McNew, J. J	Luttrell	do	331.30		
McReynold, S. M	Pikeville	do	275.90		
McTeer, W. A	Maryville	do	204.55		
Mathes, W. G	Johnson City	do	79.70		
Moody, G. A	Dandridge	do	117.85		
Ogden, G. L	Morristown	do	7.50		
Parker, J. C	Huntsville	do	245.30		
Parks, James	Ducktown	do	325.75		
Phillips, W. A		do	705.15		
Powers, E. H	Jacksboro	do	428.60		
Rader, J. P	Bristol	do	54.20		
Robinson, R. K	Madisonville	do	1,174.90		
Shull, W. F		do	87.25		
Slover, H. K	Athens	do	781.50		
Strange, W. H		do	14.25		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
McMann, W. A		Oklahoma	$4.10		
Madden, D. B	Pond Creek	do	417.40		
Mason, W. H		do	214.00		
Maxey, J. H		do	59.80		
Morgan, J. M		do	445.25		
O'Bryan, T. L	Woodward	do	329.60		
Pendleton, W. S		do	1,649.10		
Robeson, J. W		do	11.00		
Ross, A. J		do	89.50		
Saunderson, J. T		do	4,768.31		
Shumate, W. N		do	25.00		
Stilwell, S. E		do	81.15		
Stinson, A. E	Cloud Chief	do	157.90		
Tebbe, E. F		do	2,163.75		
Thomas, W. W		do	2,220.02		
Trigg, Dan'l		do	9.75		
Wallis, L. N		do	684.35		
Wass, N. B	El Reno	do	1,925.70		
Wilkinson, Huger	Oklahoma City	do	2,419.05		
Wrightsman, C. J	Pawnee	do	4,751.40		
				$32,738.58	
					$32,738.58
Bean, H. J		Oregon	75.90		
Bruen, Jno. J		do	10.55		
Clark, Wm. F		do	4.25		
Cussans, R. J		do	4.10		
Deady, Paul R	Portland	do	332.40		
Hadley, A. M		do	2.25		
Holgate, H. L		do	12.75		
Huntington, J. M		do	160.10		
Irwin, S. G	Toledo	do	29.05		
Lamson, R. B	Portland	do	192.45		
Loughary, L	Roseburg	do	28.00		
Moore, F. L	Baker City	do	34.75		
Moore, S. W	Sweet Home	do	1.45		
Parrish, C. L	Linkville	do	17.40		
Sladen, J. A	Portland	do	365.10		
Smart, C. M		do	7.10		
Walton, J. J	Salem	do	18.20		
Wilson, E. E		do	2.25		
Woodward, Jno. H	Portland	do	89.60		
				1,387.65	
					1,387.65
Bell, Samuel	Philadelphia	Pennsylvania, eastern	539.70		
Craig, Wm. W	do	do	904.20		
Edmunds, H. R	do	do	198.20		
Kirkpatrick, M	Easton	do	62.35		
Montgomery, B. F		do	15.55		
Shryock, E. L		do	2.25		
				1,722.25	
Colborn, A. J	Scranton	Pennsylvania, western	103.55		
Echard, Jas		do	2.37		
Gillis, C. V		do	8.75		
Graffins, H. P	Altoona	do	465.35		
Grant, F. W	Erie	do	67.85		
Herron, D. S	Du Bois	do	20.35		
Hodson, W. B		do	4.95		
Lingenfelter, J. W	Bedford	do	66.40		
McCandless, S. C	Pittsburg	do	635.15		
Parmlee, Jas. O	Warren	do	10.00		
Reppert, E. H	Uniontown	do	37.90		
				1,422.62	
					3,144.87
Blodgett, J. T	Providence	Rhode Island	160.20	160.20	160.20
Butler, T. B	Union	South Carolina	1,159.05		
Calvert, A. B	Spartanburg	do	2,507.70		
Coit, J. C	Cheraw	do	524.15		
De Treville, W. J	Orangeburg	do	340.45		
Floyd, O		do	116.05		
Frierson, W. H	Anderson	do	1,217.60		
Gourdin, W. M	Charleston	do	135.65		
Harris, W. H. S	Jonesville	do	380.25		
Hart, G. W. S	Yorkville	do	676.45		
Hawthorne, J. G	Greenville	do	1,819.55		
Heyward, J. H	do	do	2,545.75		
Johnson, David		do	39.00		
Johnson, J. W	Marion	do	410.45		
Kinloch, G. F	Mount Pleasant	do	333.15		
Legare, S. A	Adams Run	do	128.70		
Lloyd, E. W	Florence	do	116.90		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
McKenzie, Lawrence	Hampton	South Carolina	$60.95		
McLaurin, Milton	Bennettsville	do	565.55		
Miller, J. A		do	52.50		
Moore, W. J	Cokesburg	do	570.00		
Morgan, T. R	Aiken	do	1,172.00		
Muller, J. A		do	51.32		
Norris, S. A	Sumter	do	376.00		
Poinier, S. T	Spartanburg	do	560.60		
Pride, C. J	Rock Hill	do	1,759.85		
Quattlebaum, C. P	Conway	do	528.90		
Ramey, W. D	Edgeville	do	1,466.30		
Reid, J. S	Newburg	do	437.44		
Rowe, D. J		do	52.95		
Sanders, H. E	Darlington	do	104.75		
Shelor, J. W	Walhalla	do	1,556.35		
Smith, J. W	Charleston	do	1,525.10		
Smith, S. P		do	1,329.05		
Thornley, J. L	Pickens	do	1,926.20		
Trescott, E. A		do	308.45		
Venning, Chas. S		do	468.40		
Wilson, J. S	Chester	do	257.45		
Witherspoon, B. I	Lancaster	do	602.10		
White, T. G	Beaufort	do	103.60		
Youngblood, E. H		do	693.95		
				$28,980.61	
					$28,980.61
Anderson, Walter	Hot Springs	South Dakota	540.70		
Call, L. S	do	do	175.60		
Grant, F. E	Huron	do	36.05		
Hoover, B. P	Gettysburg	do	17.90		
Lyon, W. H	Sioux Falls	do	182.80		
McLaughlin, F	Deadwood	do	147.05		
Morrow, C. C	Chamberlain	do	236.55		
Pattison, Terrell	Pierre	do	146.90		
White, E. T	Yankton	do	161.20		
				1,644.75	
					1,644.75
Barrett, W. F	Charleston	Tennessee, eastern	1,527.10		
Brown, L. W	Morristown	do	679.20		
Carter, J. T	Knoxville	do	3,016.20		
Coleman, H. F	Sneedville	do	197.45		
Cook, C. H	South Pittsburg	do	390.00		
Crawford, S. H		do	14.30		
Culton, J. W	Maryville	do	625.85		
Davis, James	Lee Valley	do	156.80		
Davis, J. R	Blackwater	do	141.90		
Donnelly, R. A	Mountain City	do	390.35		
Elrod, J. E		do	5.70		
Emmert, P. W	Erwin	do	747.55		
Ewing, H. O	Chattanooga	do	857.30		
Folsom, W. J	Elizabethtown	do	501.75		
Gorrell, G. W	Newport	do	1,299.40		
Hannah, H. H	Oliver Springs	do	198.80		
Harvey, C. H	Knoxville	do	2,418.90		
Hughes, H. Y	Tazewell	do	493.50		
Jarvis, H. C	Rogersville	do	469.80		
Jones, S. J	Rutledge	do	51.20		
Keebler, W. W	Johnson City	do	196.40		
Kelly, W. R	Meltabarger	do	271.90		
Kincaid, T. S		do	33.00		
Landstreet, John		do	167.35		
Lindsay, Isaac	Povo	do	542.25		
McGhee, J. B	Rex	do	240.51		
McMahan, M. B	Servierville	do	958.95		
McNew, J. J	Luttrell	do	331.30		
McReynold, S. M	Pikeville	do	275.90		
McTeer, W. A	Maryville	do	204.55		
Mathes, W. G	Johnson City	do	79.70		
Moody, G. A	Dandridge	do	117.85		
Ogden, G. L	Morristown	do	7.50		
Parker, J. C	Huntsville	do	245.30		
Parks, James	Ducktown	do	325.75		
Phillips, W. A		do	705.15		
Powers, E. H	Jacksboro	do	428.60		
Rader, J. P	Bristol	do	54.20		
Robinson, R. K	Madisonville	do	1,174.90		
Shull, W. F		do	87.25		
Slover, H. K	Athens	do	781.50		
Strange, W. H		do	14.25		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Thomas, J. C	Old Town	Tennessee, eastern	$425.45		
Tifton, A. H		do	53.10		
Tifton, J. C	Cleveland	do	93.65		
Watterson, W. H	Rogersville	do	443.90		
Williams, S	Xenophon	do	22.70		
Williamson, J. C		do	575.20		
Wilson, A. B	Greeneville	do	310.00		
				$23,351.11	
Bailey, C. H		Tennessee, middle	212.10		
Barton, J. S	McMinnville	do	283.80		
Bradford, T. J	Sparta	do	382.15		
Brandon, T. J	Dover	do	366.40		
Brevard, W. F	Woodbury	do	712.90		
Brown, J. M	Vesta	do	317.55		
Brown, J. W	Lafayette	do	411.50		
Clark, C. M	Centerville	do	12.45		
Cullum, W. E	Dickson	do	753.55		
Davidson, G. W	Tullahoma	do	8.20		
Davis, H. P	Cookeville	do	614.95		
Debrill, W. L		do	115.00		
Doak, H. M	Nashville	do	586.80		
Donnell, J. A	Alexandria	do	301.65		
Drake, J. A	Smithville	do	1,264.05		
Evans, E. J	do	do	1,225.35		
Fakes, M. G		do	53.25		
Faulkner, A. H	McMinnville	do	277.35		
Foust, D. H		do	51.25		
Golladay, Saml	Lebanon	do	1,277.60		
Gossett, C. A		do	43.60		
Gregory, E. L	Nashville	do	265.75		
Guthrie, G. N	Gallatin	do	46.10		
Harris, D. L		do	588.35		
Harris, W. W	Livingston	do	595.40		
Hull, S. S	Celina	do	1,377.65		
Jernigan, L. W	Winchester	do	291.75		
Johnson, W. M	Travisville	do	27.50		
Julian, M. J	Bloomington	do	911.80		
Kemps, jr., W. L		do	645.30		
Lee, Z. P		do	43.25		
Looney, E. D	Columbia	do	335.35		
McDowell, M. H		do	425.95		
Nesbitt, J. M	Erin	do	45.15		
Powell, R. D	Hartsville	do	585.00		
Russell, F. C		do	7.35		
Smith, B. F. C	New Middleton	do	816.85		
Smith, E. G		do	34.35		
Smith, L. K	Gainesboro	do	601.65		
Smith, Walter		do	24.70		
Stewart, Jno	Springfield	do	174.35		
Sutton, T. F	Mufreesboro	do	362.90		
Tinsley, S. F	Gainesboro	do	1,009.50		
Turner, E. W	Carthage	do	253.90		
Ventress, W. J	Fayetteville	do	319.35		
Watts, J. H		do	951.50		
Williams, C. P		do	22.00		
Williams, R. B		do	336.15		
Williams, R. C		do	47.02		
Wood, W. G		do	25.65		
				20,442.97	
Chester, R. I	Jackson	Tennessee, western	839.10		
Clough, J. B	Memphis	do	935.05		
Crockett, W. G	Huntingdon	do	417.00		
Dix, H. F	Memphis	do	74.95		
Haynes, D. H	Jackson	do	12.15		
Hinkle, H. H	Savannah	do	54.30		
Parker, J. G	Dresden	do	57.70		
Stump, J. W	Selmer	do	1,433.05		
Thorn, R. H	Lexington	do	1,084.95		
				4,908.25	
					$48,702.33
Collie, T. M		Texas, northern	4.65		
Fink, J. H	Waco	do	256.20		
Girand, F. W	Graham	do	186.60		
Lednum, C. H	Dallas	do	1,511.75		
				1,959.20	
Byrne, R. T	Galveston	Texas, eastern	58.40		
Dart, C	do	do	230.65		
Dickerson, L. D	Stonewall, Ind. T.	do	1,887.45		
Easton, J. C	Paris	do	2,023.25		
Fore, J. L	Texarkana	do	303.85		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Gates, Geo. F	Purcell, Ind. T	Texas, eastern	$1,956.20		
Gibbons, Jno. C	Paris	do	3,323.80		
Grant, Jno		do	1,504.30		
Grubbs, R. M	Atoka, Ind. T	do	1,358.75		
Kirk, J. W	Garvin, Ind. T	do	330.45		
Kirkpatrick, H. H	Paris	do	2,162.10		
Lacy, W. M	Palestine	do	67.25		
Lintweiler, E. H	Duncan, Ind. T	do	1,769.15		
Parish, D. W	Tyler	do	108.95		
Poland, F. M	Houston	do	31.75		
Rickett, Jos	Sherman	do	623.55		
Singleton, W. E	Jefferson	do	91.40		
Swinford, J	Orange	do	21.30		
				$17,852.55	
Dubois, C. E	San Angelo	Texas, western	20.00		
Edwards, P. F	El Paso	do	167.40		
Farrell, D. S		do	18.50		
Foster, S. W	Laredo	do	549.99		
Gibbs, W. A		do	90.10		
Gildea, A. M	Del Rio	do	28.65		
Hart, D. H	Austin	do	40.70		
Little, H. M	do	do	70.15		
Miller, Chas		do	18.00		
Miller, G. W		do	127.80		
Monroe, J. R	Rio Grande City	do	74.40		
Norris, T. B		do	164.70		
Parker, R. S		do	22.75		
Price, L. F	San Antonio	do	469.40		
Ragin, W. H	Del Rio	do	108.60		
Sexton, F. B	El Paso	do	1,053.95		
Tucker, J. G	Santa Maria	do	112.15		
Valls, Peter	Carrizo	do	21.40		
Wagner, Jas		do	3.00		
Watkins, E. L	Eagle Pass	do	205.05		
Watkins, J. G		do	53.30		
Wells, F. E	Corpus Christi	do	8.20		
				3,428.19	
					$23,239.94
Camp, R. C	Vernal	Utah	14.80		
Christian, J. W	Beaver City	do	48.30		
Cooms, J. M	Brigham City	do	30.00		
Fletcher, Mark	Logan	do	21.95		
Greenman, J. W	Salt Lake City	do	304.75		
Hilton, Jos		do	5.95		
Hulaniski, E. T	Ogden	do	169.20		
King, Voley		do	23.35		
Kirgan, Jno		do	20.00		
McConnell, Jas	White Rock	do	20.00		
McNally, J. C	Salt Lake City	do	92.55		
Pratt, Harmel	do	do	214.75		
Sargeant, W. P	Panguitch	do	48.90		
Sommers, Morris		do	4.75		
Ternes, B	Ogden	do	49.50		
Veile, G. C	Fillmore	do	88.85		
Zabriskie, Wm	Mount Pleasant	do	20.00		
				1,777.60	
					1,777,60
Bailey, Wayne	Rutland	Vermont	87.80		
Bates, E. L	Bennington	do	96.95		
Crane, W. D	Newport	do	13.50		
French, W. C		do	15.15		
Gleason, C. J	Montpelier	do	133.05		
Johnson, G. E	Burlington	do	233.65		
Leslie, C. B	Wells River	do	9.50		
McGettrick, F. W	St. Albans	do	173.30		
May, Elisha	St. Johnsbury	do	9.00		
Plumley, Frank	Northfield	do	58.65		
Wing, G. W		do	47.15		
				797.70	
					797.70
Ackiss, H. S	Norfolk	Virginia, eastern	337.75		
Flegenheimer, H	Richmond	do	219.20		
Fowler, J. S	Alexandria	do	44.55		
Hughes, J. E		do	12.15		
Pleasants, McLain	Richmond	do	19.30		
Tucker, J. C	Hampton	do	283.00		
Wormley, J. W	Arlington	do	88.75		
				1,004.70	
Allison, Robert	Broadford	Virginia, western	14.75		
Blankenship, G. W	Jonesville	do	383.00		

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts	Total for the district.	Total for the State.
Bond, W. W	Norton	Virginia, western	$822.13		
Charles, J. H	Grundy	do	313.20		
Coleman, W. D	Danville	do	883.40		
Dickinson, W. H	Bickley Mill	do	240.05		
Dillard, A. T	Rocky Mount	do	1,185 55		
Fowler, I. C	Abingdon	do	398.90		
Fulton, S. M., jr	Summerfield	do	355.90		
Gillespie, T. A	Grundy	do	359.40		
Higginbotham, J. S. S	Knob	do	60.65		
Hoge, E. A	Gate City	do	306.20		
McBroom, J. W	Lebanon	do	257.00		
Nowlin, J. A	Pulaski City	do	475.15		
Painter, C. T	Pearisburg	do	470.45		
Poindexter, C. T	Martinsville	do	982.15		
Powell, C. A	Stuart	do	946.20		
Ratliff, T. W	Grundy	do	368.60		
Rhodes, G. T	Roanoke	do	273.55		
Rush, W. C. D	Clintwood	do	467.25		
Russell, T. W	Berryville	do	22.30		
Shelor, C. S	Radford	do	1,270.45		
Sipe, G. E	Harrisonburg	do	80.00		
Spencer, H. D	Floyd	do	1,546.75		
Tinsley, W. B	Lynchburg	do	207.95		
Tucker, G. M	Hillsboro	do	1,415.40		
Walter, Samuel	Wytheville	do	416.50		
Williams, W. E	Marion	do	235.35		
Witten, J. R	Tazewell	do	340.60		
				$15,098.78	
					$16 103.48
Allison, H. D	Anacortes	Washington	13.15		
Ayres, A. R	Tacoma	do	112.55		
Bowman, A. C	Seattle	do	15.30		
Brewster, C. W		do	54.70		
Clifford, M. L		do	134.90		
Cochran, M. J	Aberdeen	do	46.70		
Dovell, W. T		do	219.70		
Emery, C. D	Seattle	do	627.40		
Henton, S. C		do	1,315.70		
Kenyon, A. H		do	907.85		
McCall, Frank		do	9.05		
Spriggs, J. W	Seattle	do	58.25		
Swan, J. G	Port Townsend	do	56.30		
Williams, H. B		do	109.45		
Worden, W. A		do	102.40		
				3,783.40	
					3,783.40
Brown, D. A		West Virginia	330.55		
Bryan, T. J	Huntington	do	242.65		
Burton, G. H	Keystone	do	1,175.75		
Campbell, B. J	Wheeling	do	90.00		
Ewing, J. W		do	20.20		
Fast, R. E	Morgantown	do	20.40		
Gibson, J. T	Huntington	do	4.00		
Hart, C. W	Buckhannon	do	59.05		
Howard, H. R	Point Pleasant	do	16.35		
Hunt, J. H	Charleston	do	196.50		
Laird, J. F	Parkersburg	do	8.15		
Martin, F. T		do	79.85		
Morgan, G. W	Logan	do	648.55		
Nadenbausch, A. C	Martinsburg	do	15.00		
Rucker, E. P		do	165.90		
Ruffner, Jos	Charleston	do	147.90		
Spates, T. S	Clarksburg	do	83.50		
Tavenner, L. N	Parkersburg	do	362.80		
Thompson, G. J	Bramwell	do	150.00		
Willey, S. W	Hinton	do	56.20		
Wilson, A. U		do	32.60		
				3,905.90	
					3,905.90
Bloodgood, F	Milwaukee	Wisconsin, eastern	1,525.05		
Bottensek, John	Appleton	do	75.55		
Cook, Alex	Waukesha	do	13.40		
Dickinson, G. C		do	216.60		
Goodrick, E. J	Oshkosh	do	53.30		
Hayden, T. H		do	5.56		
Kellogg, A. H		do	46.35		
Kurtz, Edward	Milwaukee	do	327.05		
Martin, P. H	Fond du Lac	do	90.50		
Merrill, J. H	Oshkosh	do	37.35		
Nichols, C. E	Marinette	do	171.75		
Watermolen, J. F	Green Bay	do	1,708.25		
				4,270.71	

EXHIBIT C.—*Amount of fees earned during the fiscal year 1895, etc.*—Continued.

Name of officer.	Location.	District.	Amount of accounts.	Total for the district.	Total for the State.
Alexander, G. A		Wisconsin, western	$6.10		
Billings, L. J	Rhinelander	do	46.85		
Briggs, H. E		do	1,248.40		
Helm, E. H	Hudson	do	9.00		
Jenkins, F. W		do	25.80		
Jones, D. L		do	11.00		
Peck, H. C	La Crosse	do	7.15		
Perkins, P. H	Superior	do	75.70		
Prentiss, G. C		do	9.75		
Stewart, F. M	Madison	do	134.75		
				$1,574.50	
					$5,845.21
Churchill, E. J	Cheyenne	Wyoming	16.00		
Collins, W. S	Big Horn	do	7.25		
Farlow, E. J	Fremont County	do	17.25		
Foote, F. M	Evanston	do	22.30		
Gillette, C. A	Sheridan	do	17.95		
Meldrum, J. W	Mammoth Hot Spgs	do	94.85		
Metcalf, E. D		do	7.95		
Parmelee, C. H	Buffalo	do	18.90		
Philbrick, E. P	Rock Springs	do	26.00		
Symons, J. H		do	16.70		
				245.15	
					245.15
Grand total					407,930.84

NOTE.—Commissioners in Alaska do not appear, as they are paid a salary. The amount shown for the commissioners in the Indian Territory is for three-quarters of the fiscal year. The last quarter of the year they were paid a salary.

EXHIBIT D.—*United States attorneys and United States marshals (by districts), with the annual salary of each.*

[Corrected to December 24, 1895.—W. H. M.]

District.	United States attorney.		United States marshal.	
	Name.	Salary.	Name.	Salary.
Alabama:				
Northern	Emmet O'Neal	$200	J. C. Musgrove	$200
Middle	Henry D. Clayton	200	W. H. Tisdale	200
Southern	J. N. Miller	200	E. R. Morrisette	200
Alaska	Lytton Taylor	2,500	L. L. Williams	2,500
Arizona	E. E. Ellinwood	250	William K. Meade	200
Arkansas:				
Eastern	Joseph W. House	200	Abner Gaines	200
Western	James F. Read	200	George J. Crump	200
California:				
Northern	Henry S. Foote	500	Barry Baldwin	500
Southern	George J. Denis	200	N. A. Covarrubias	200
Colorado	Henry V. Johnson	200	Joseph A. Israel	200
Connecticut	George P. McLean	200	Richard C. Morris	200
Delaware	Lewis C. Vandegrift	200	Hewson E. Lannan	200
District of Columbia	A. A. Birney	200	A. A. Wilson	None.
Florida:				
Northern	J. Emmet Wolfe	200	Samuel Puleston	200
Southern	Frank Clark	200	James McKay	200
Georgia:				
Northern	Joseph S. James	200	Samuel C. Dunlap	None.
Southern	William T. Gary	200	John D. Harrell	None.
Idaho	James H. Forney	200	James I. Crutcher	200
Illinois:				
Northern	John C. Black	200	John W. Arnold	200
Southern	William E. Shutt	200	William B. Brinton	200
Indiana	Frank B. Burke	200	William H. Hawkins	200
Indian Territory:				
Northern	C. L. Jackson	4,000	S. M. Rutherford	4,000
Central	W. J. Horton	4,000	J. J. McAlester	4,000
Southern	A. C. Cruse	4,000	C. L. Stowe	4,000
Iowa:				
Northern	Cato Sells	200	W. M. Desmond	200
Southern	Charles D. Fullen	200	Frank P. Bradley	200
Kansas	William C. Perry	200	Shaw F. Neely	200
Kentucky	William M. Smith	200	James Blackburn	200

EXHIBIT D.—*United States attorneys and United States marshals (by districts) with the annual salary of each*—Continued.

District.	United States attorney.		United States marshal.	
	Name.	Salary.	Name.	Salary.
Louisiana:				
Eastern	F. B. Earhart	$200	J. V. Guillotte	$200
Western	Charles W. Seals	200	James M. Martin	200
Maine	Albert W. Bradbury	200	John B. Donovan	200
Maryland	William L. Marbury	200	Charles H. Evans	None.
Massachusetts	Sherman Hoar	200	Henry W. Swift	None.
Michigan:				
Eastern	Alfred P. Lyon	200	Eugene D. Winney	200
Western	John Power	200	Charles R. Pratt	200
Minnesota	Edward C. Stringer	200	Richard T. O'Connor	200
Mississippi:				
Northern	Andrew F. Fox	200	David T. Guyton	200
Southern	R. C. Lee	200	John S. McNeily	200
Missouri:				
Eastern	William H. Clopton	200	John E. Lynch	200
Western	John R. Walker	200	Joseph O. Shelby	200
Montana	Preston H. Leslie	200	William McDermott	200
Nebraska	Andrew F. Sawyer	200	Frank E. White	200
Nevada	Charles A. Jones	200	George M. Humphrey	200
New Hampshire	Oliver E. Branch	200	Clark Campbell	200
New Jersey	John W. Beekman	200	George Pfeiffer, jr	200
New Mexico	John B. H. Hemingway	250	Edward L. Hall	200
New York:				
Northern	William A. Poucher	200	Fletcher C. Peck	200
Eastern	James L. Bennett	200	Henry I. Hayden	200
Southern	Wallace Macfarlane	6,000	John H. McCarty	None.
North Carolina:				
Eastern	Charles B. Aycock	200	Owen J. Carroll	400
Western	Robert B. Glenn	200	Thomas J. Allison	200
North Dakota	Tracy R. Bangs	200	Joseph E. Cronan	200
Ohio:				
Northern	Samuel D. Dodge	200	William C. Haskell	200
Southern	Harlan Cleveland	200	Michael Devanney	200
Oklahoma	Caleb R. Brooks	250	E. D. Nix	200
Oregon	Daniel R. Murphy	200	Henry C. Grady	200
Pennsylvania:				
Eastern	Ellery P. Ingham	200	Alex. P. Colesberry	None.
Western	Harry Alvan Hall	200	John W. Walker	200
Rhode Island	Charles E. Gorman	200	John E. Kendrick	200
South Carolina	William P. Murphy	200	John P. Hunter	200
South Dakota	Ezra W. Miller	200	Otto Peemiller	200
Tennessee:				
Eastern	James H. Bible	200	S. P. Condon	200
Middle	Tully Brown	200	J. N. McKenzie	200
Western	Charles B. Simonton	200	Joseph A. Manson	200
Texas:				
Northern	W. O. Hamilton	200	Robert M. Love	200
Eastern	Sinclair Taliaferro	200	J. S. Williams	200
Western	Robert U. Culberson	200	Richard C. Ware	200
Utah	John W. Judd	250	Nat. M. Brigham	200
Vermont	John H. Senter	200	Emory S. Harris	200
Virginia:				
Eastern	Francis R. Lassiter	200	John M. Hudgin	200
Western	A. J. Montague	200	George W. Levi	200
Washington	William H. Brinker	200	James C. Drake	200
West Virginia	Cornelius C. Watts	200	Anthony D. Garden	200
Wisconsin:				
Eastern	J. H. M. Wigman	200	George W. Pratt	200
Western	Harry E. Briggs	200	F. W. Oakley	200
Wyoming	Gibson Clark	200	John A. McDermott	200

EXHIBIT E.—*Assistant attorneys.*

Name.	District.	Yearly salary.
Lee Cowart	Alabama, northern	$1,500
Geo. F. Moore	Alabama, middle	1,500
Herbert Hoggatt	Alaska	600
Walter J. Terry	Arkansas, eastern	1,200
James B. McDonough	Arkansas, western	2,000
Edgar Smith	do	1,200
Bert Schlesinger	California, northern	1,500
Samuel Knight	do	2,500
Frank G. Finlayson	California, southern	1,500
Henry P. Rhodes	Colorado	1,500
Harry H. Buckman	Florida, southern	1,200
Tinsley W. Rucker	Georgia, northern	2,250
Moritz Rosenthal	Illinois, northern	2,200
Oliver E. Pagin	do	2,000
Legh K. Brainerd	Illinois, southern	1,500
Edwin Corr	Indiana	2,000
De Witt C. Cram	Iowa, northern	1,200
Thos. E. Casady	Iowa, southern	1,200
Rankin Mason	Kansas	2,000
Arthur M. Wallace	Kentucky	2,400
J. W. Gurley	Louisiana, eastern	2,500
H. Snowden Marshall	Maryland	500
William G. Thompson	Massachusetts	1,800
John H. Casey	do	2,500
Charles T. Wilkins	Michigan, eastern	2,000
Richard L. Newnham	Michigan, western	1,200
George R. O'Reilly	Minnesota	2,000
Patrick Henry	Mississippi, northern and southern	1,500
William S. Anthony	Missouri, eastern	2,000
Walter D. Coles	do	1,500
W. M. Draffen	Missouri, western	2,000
Geo. F. Shelton	Montana	1,500
Sylvester R. Rush	Nebraska	1,200
Thomas J. O'Brien	New Jersey	800
Geo. P. Money	New Mexico	1,800
Samuel M. Welch, jr	New York, northern	2,500
William F. Mackey	do	2,500
Robt. H. Roy	New York, eastern	2,000
James T. Van Rensselaer	New York, southern	2,500
James R. Ely	do	2,500
Jason Hinman	do	3,600
Henry C. Platt	do	3,600
Henry D. Sedgwick	do	2,500
Max J. Kohler	do	1,800
Sol. C. Weill	North Carolina, eastern	1,250
D. A. Covington	North Carolina, western	2,000
Geo. R. McKay	Ohio, northern	1,400
John E. Bruce	Ohio, southern	2,000
Charles T. Greve	do	1,200
Thomas F. McMechan	Oklahoma	2,000
Roy Hoffman	do	1,500
Chas. J. Schnabel	Oregon	1,200
Robert Ralston	Pennsylvania, eastern	3,000
Harvey K. Newitt	do	1,400
George W. Wurzell	Pennsylvania, western	2,000
Samuel B. Griffith	do	2,000
Edward O. Woods	South Carolina	1,200
Edward W. Hughes	do	1,500
Stephen B. Van Buskirk	South Dakota	1,200
Jas. E. Mayfield	Tennessee, eastern	1,200
Jno. W. Childress	Tennessee, middle	1,200
Thomas M. Scruggs	Tennessee, western	1,200
John B. Dailey	Texas, eastern	2,000
Du Val West	Texas, western	1,500
Andrew Howat	Utah	2,500
W. L. Maginnis	do	1,500
Joseph T. Richards	do	1,500
Samuel R. Thurman	do	1,500
William Henry Mann	Virginia, eastern	1,500
Jno. J. Stuart	Virginia, western	1,200
Stuart W. Walker	West Virginia	1,000
F. C. Robertson	Washington	1,800
F. P. Van Valkenburgh	Wisconsin, eastern	1,000
Thomas L. Cleary	Wisconsin, western	1,000
James M. Givens	Indian Territory	1,200
Marcus A. Smith	Arizona Territory	1,800

EXHIBIT F.—*Deputy marshals reported to the Department of Justice by the United States marshals.*

[Corrected to December 23, 1895.—W. H. M.]

District.	Deputies employed.	District.	Deputies employed.
Alabama:		Missouri:	
Northern	44	Eastern	5
Middle	16	Western	17
Southern	14	Montana	8
Alaska	6	Nebraska	18
Arizona	44	Nevada	3
Arkansas:		New Hampshire	None.
Eastern	74	New Jersey	4
Western	172	New Mexico	51
California:		New York:	
Northern	7	Northern	39
Southern	18	Eastern	9
Colorado	24	Southern	.....
Connecticut	3	North Carolina:	
Delaware	3	Eastern	55
District of Columbia	20	Western	128
Florida:		North Dakota	19
Northern	29	Ohio:	
Southern	15	Northern	10
Georgia:		Southern	22
Northern	36	Oklahoma	90
Southern	20	Oregon	9
Idaho	7	Pennsylvania:	
Illinois:		Eastern	8
Northern	13	Western	7
Southern	10	Rhode Island	2
Indiana	7	South Carolina	133
Indian Territory:		South Dakota	13
Northern	18	Tennessee:	
Central	15	Eastern	65
Southern	16	Middle	45
Iowa:		Western	15
Northern	4	Texas:	
Southern	7	Northern	45
Kansas	5	Eastern	84
Kentucky	32	Western	20
Louisiana:		Utah	32
Eastern	5	Vermont	2
Western	4	Virginia:	
Maine	4	Eastern	9
Maryland	12	Western	59
Massachusetts	10	Washington	11
Michigan:		West Virginia	27
Eastern	13	Wisconsin:	
Western	16	Eastern	3
Minnesota	13	Western	2
Mississippi:		Wyoming	6
Northern	31		
Southern	43	Total	[a] 1,905

[a] One district missing.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 168.

SURVEY OF MERRIMAC RIVER, MASSACHUSETTS.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of survey of Merrimac River, Massachusetts.

JANUARY 23, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 22, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers, dated January 18, 1896, together with a copy of report from Lieut. Col. S. M. Mansfield, Corps of Engineers, dated January 15, 1896, of a resurvey made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Merrimac River, Massachusetts.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 18, 1896.

SIR: By the terms of the river and harbor act of August 17, 1894, the Secretary of War is directed, out of the appropriation on hand, to make a resurvey of Merrimac River, with a view of obtaining a depth up to Haverhill equal to that over the bar at Newburyport, and I have now the honor to submit the accompanying report of January 15, 1896, with map, by Lieut. Col. S. M. Mansfield, Corps of Engineers, of the results of the survey thus provided for.

Colonel Mansfield presents a project for securing a channel to Haverhill 12 feet deep at mean low water, 150 feet wide above Newburyport and 200 feet wide below, and estimates that the necessary dredging and rock excavation will cost $1,496,851.07.

In explanation of the estimate Colonel Mansfield states that—

The cost of making the improvement will be great owing to the lack of a suitable dumping ground for receiving the dredged material, which will either have to be

vicinity of an established gauge, the mean low-water plane is approximate, but the possible error in any case is small.

The triangulation and leveling were executed during the winter months, and the tide observations and soundings were taken after the annual spring freshet in the river had subsided.

DESCRIPTION OF CHANNEL AS DEVELOPED BY THE SURVEY.

The mouth of the Merrimac River is obstructed by a sea bar, over which about 12 feet at mean low water can be carried in a channel about 300 feet wide. This channel is now being improved under appropriations for improvement of Newburyport Harbor, Massachusetts.

After crossing the bar, this 12-foot channel continues up the river for a distance of 2 miles, maintaining a least width of 300 feet until within one-half mile of the wharves at Newburyport. Here it is obstructed by ledges and shoal ground, marked by two cribs known as the "north" and "south piers." At this point the channel has been improved, under appropriations for the improvement of Merrimac River, by the removal of these ledges to a depth of 9 feet below mean low water. This shoal ground extends up the river for about 1,500 feet, not less than 9 feet deep and of varying width, where the 12-foot channel again commences and continues with a least width of 200 feet for about 5 miles to a point about three-fourths of a mile above the mouth of Powow River.

Two mid-channel ledges were found in this channel, lying between Carrs Island and the south shore, with a least depth over them of 8.1 and 4.3 feet; but there is at least 200 feet width of channel available in passing them, and if well buoyed or marked by spindles, they might not be regarded as serious obstructions.

From three-fourths of a mile above Powow River no continuous 12-foot channel exists, and the available channel gradually shoals to about 6.5 feet at Rocks Bridge, about 10 miles above Newburyport.

At Rocks Bridge, Curriers Shoal, both ends of Silbys Island, and between the bridges at Haverhill the channel has been improved under previous appropriations, and through these points up to Haverhill a channel exists in which about 6 feet can be carried at mean low water, but in places this channel is very narrow and difficult of navigation.

The total length of channel from the bar to Haverhill is 20½ miles, of which 9½ miles will require improvement to make available to Haverhill the same depth of water at mean low water (12 feet) as is obtained over the bar at the mouth of the river.

From the soundings and borings made the general character of the bottom appears to be mud, sand, gravel, and clay, interspersed with large and small bowlders; and at Newburyport, in the vicinity of the north and south piers, at Rocks Bridge, and at Haverhill, ledge will be encountered in the event of improvement.

The river is crossed by 7 bridges, containing conveniently located draws, with widths of opening as follows:

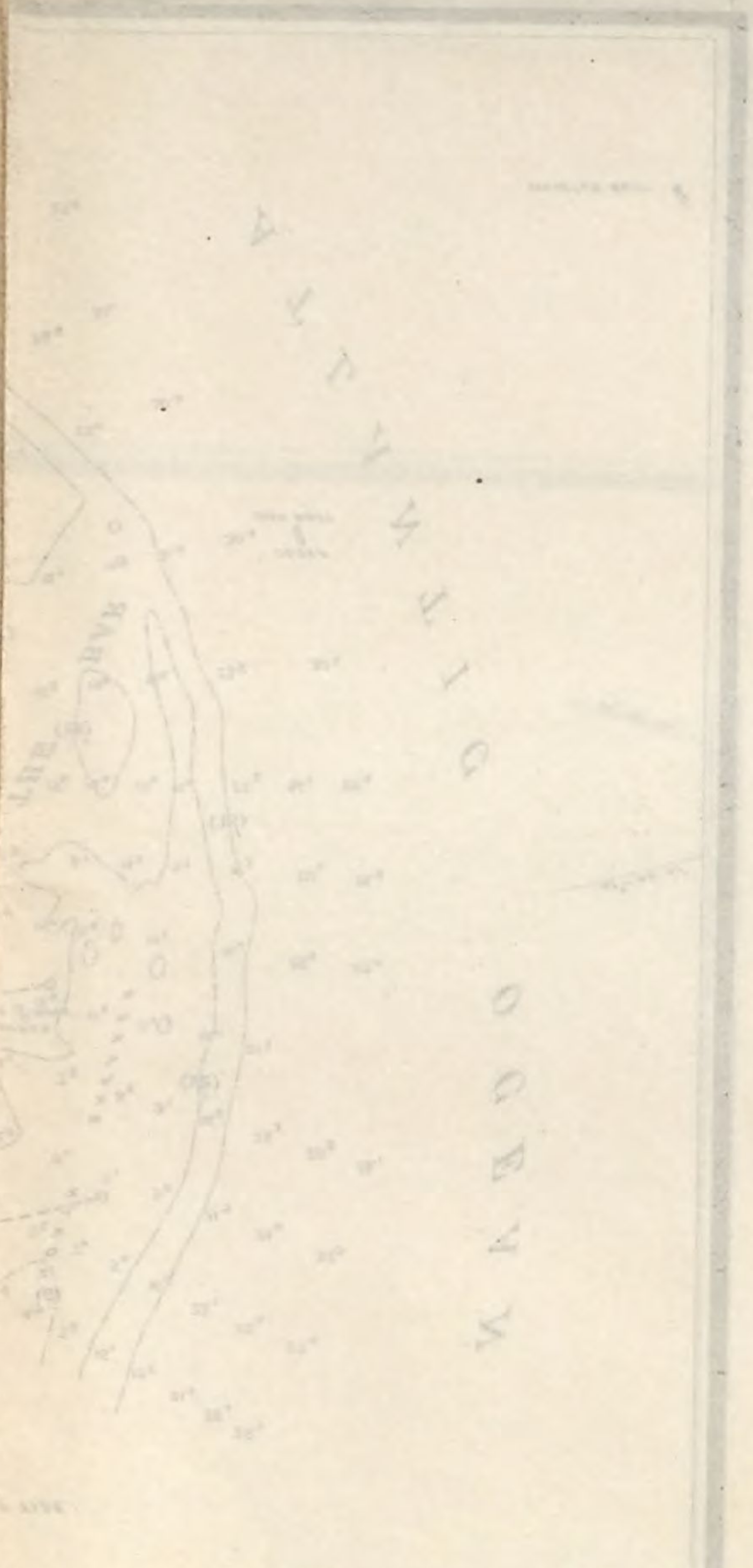
1. Newburyport Highway Bridge, 70 feet.
2. Boston and Maine Railroad Bridge at Newburyport, 63 feet.
3. Deer Island Bridge, 60 feet.
4. Rocks Bridge, 57 feet.
5. Groveland Bridge, 65 feet.
6. Haverhill Bridge, 38 feet.
7. Boston and Maine Railroad Bridge at Haverhill, no draw.

The operations of the party in the field were in charge of Mr. Charles W. Mason, hydrographer.

Very respectfully, your obedient servant,

T. T. HUNTER HARWOOD,
Assistant Engineer.

Lieut. Col. S. M. MANSFIELD,
Corps of Engineers, U. S. A.



towed to sea, an expensive operation, almost impracticable, or better, rehandled upon shore.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF MERRIMAC RIVER, MASSACHUSETTS.

UNITED STATES ENGINEER OFFICE,
Boston, Mass., January 15, 1896.

GENERAL: I have the honor to transmit herewith a map of Merrimac River, Massachusetts, and a report thereon made in accordance with the requirements of the river and harbor act of August 17, 1894:

Merrimac River, Massachusetts: The Secretary of War is directed, out of the appropriation on hand, to make a resurvey of said river with a view of obtaining a depth up to Haverhill equal to that over the bar at Newburyport.

This survey was made by United States Asst. Engineer T. T. Hunter Harwood, assisted by Charles W. Mason, United States hydrographer, and attention is respectfully invited to Mr. Harwood's accompanying report for the details thereof.

The plot of the survey is most complete in itself as to the character of the river, leaving little to be said in explanation. I have indicated thereon a channel of a width of 150 feet above Newburyport and 200 feet wide below, which will require the minimum of work to secure a channel up to Haverhill of 12 feet depth at mean low water, the equal of that now on the bar at Newburyport, and have shaded the portion where dredging and blasting will be required to secure the results looked for.

The total length of channel from the bar to Haverhill is 20½ miles, of which 9½ miles will require improvement.

From the soundings and borings made, the general character of the bottom appears to be mud, sand, gravel, and clay, interspersed with bowlders; and at Newburyport, in the vicinity of the north and south piers, at Rocks Bridge, and at Haverhill, ledge will be encountered in the work of improvement.

The cost of making the improvement will be great, owing to the lack of a suitable dumping ground for receiving the dredged material, which will either have to be towed to sea, an expensive operation, almost impracticable, or better, rehandled upon shore, and the following estimate is submitted:

For dredging and rehandling 1,305,998 cubic yards of material, scow measurement, at 65 cents per cubic yard	$848,898.70
For ledge-rock excavating and rehandling, 34,125 cubic yards, at $15 per cubic yard	511,875.00
	1,360,773.70
Contingencies, supervision, etc	136,077.37
Total	1,496,851.07

Very respectfully, your obedient servant,

S. M. MANSFIELD,
Lieut. Col., Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

REPORT OF MR. T. T. HUNTER HARWOOD, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Boston, Mass., January 13, 1896.

COLONEL: I have the honor to submit the following report on the survey of Merrimac River, Massachusetts, made from December, 1894, to October, 1895, in accordance with your instructions, and therewith a map of the survey drawn to a scale of 1:10,000.

TRIANGULATION.

The stretch of river covered by the survey, from the ocean to Haverhill, is about 20 miles in length, and is bordered by seven cities or towns, the river forming the boundary line between them on the north or south.

The Massachusetts State Topographical Survey has recently accurately determined the boundary lines between these several townships and fixed permanent bound stones, the geographical position of each stone being carefully determined, and a number of these stones are located upon the banks of the river.

Such of these stones as were conveniently located were selected as primary stations for the purpose of triangulation for the survey, and were plotted on the map by means of their latitude and longitude as furnished by the office of the State topographical survey.

Between these points a secondary system containing 166 points was established, following the banks of the river and forming a complete and satisfactory system of triangulation for use in the survey.

HYDROGRAPHY.

For the purpose of securing connected observations of tides throughout the length of river to be surveyed, levels were run three times from the bench mark at Black Rock Beacon at the mouth of the river to Ringbolt Rock above Haverhill. By means of these levels tide gauges were set, with 0.0 in a common horizontal plane, at the following stations: Central Wharf, Newburyport, mouth of Powow River, Rocks Bridge, Curriers Shoal, Groveland Bridge, and Haverhill Bridge.

Observations of every high water and low water at each of these stations were taken, covering a complete lunation, from May 27 to June 26, 1895, and the mean high water and mean low water at each gauge determined.

The information secured by these observations is recorded in a table entitled "Summary of tide observations" placed upon the accompanying map.

Bench marks were established for each gauge in reference to the local mean low water, as follows:

Newburyport.—Top of abutment for stone steps at main entrance to custom-house is in reference 22.59 feet above local mean low water.

Mouth of Powow River.—Drill hole in stone under northeast end of iron railing on upriver side of Powow River drawbridge is in reference 15.29 feet above local mean low water.

Rocks Bridge.—Top of town bound stone "Haverhill No. 9," on north side of river, about 640 feet below bridge abutment, is in reference 19.48 feet above local mean low water.

Curriers Shoal.—Drill hole in top of Currier Rock in river (available after one-third ebb tide) is in reference 3.82 feet above local mean low water.

Groveland Bridge.—Drill hole in stone in Groveland abutment under end of iron railing on upriver side is in reference 23.63 feet above local mean low water.

Haverhill Bridge.—Drill hole in a projecting stone, about 4 feet above ground, in west end of pier between river and railroad track in Bradford, is in reference 20.11 feet above local mean low water.

Ringbolt Rock.—Drill hole in top of rock is 11.77 feet above mean low water at Newburyport.

At the bar (Established in 1880): A drill hole (leaded) in the third course of masonry, facing the river, in Black Rock Beacon, is in reference 9.22 feet above local mean low water.

Soundings were taken on ranges varying from 20 feet to 400 feet apart throughout the river, and were located by intersecting angles from suitable shore stations.

A total number of 32,882 soundings were taken in the survey, 5,302 of which were fixed by angles, and 902 were borings below the bottom to determine the character of underlying material.

The soundings are reduced to mean low water of the locality where taken, but in making this reduction it was assumed that the mean low water lay in a regular slope between two established gauges. Excepting, therefore, in the immediate

vicinity of an established gauge, the mean low-water plane is approximate, but the possible error in any case is small.

The triangulation and leveling were executed during the winter months, and the tide observations and soundings were taken after the annual spring freshet in the river had subsided.

DESCRIPTION OF CHANNEL AS DEVELOPED BY THE SURVEY.

The mouth of the Merrimac River is obstructed by a sea bar, over which about 12 feet at mean low water can be carried in a channel about 300 feet wide. This channel is now being improved under appropriations for improvement of Newburyport Harbor, Massachusetts.

After crossing the bar, this 12-foot channel continues up the river for a distance of 2 miles, maintaining a least width of 300 feet until within one-half mile of the wharves at Newburyport. Here it is obstructed by ledges and shoal ground, marked by two cribs known as the "north" and "south piers." At this point the channel has been improved, under appropriations for the improvement of Merrimac River, by the removal of these ledges to a depth of 9 feet below mean low water. This shoal ground extends up the river for about 1,500 feet, not less than 9 feet deep and of varying width, where the 12-foot channel again commences and continues with a least width of 200 feet for about 5 miles to a point about three-fourths of a mile above the mouth of Powow River.

Two mid-channel ledges were found in this channel, lying between Carrs Island and the south shore, with a least depth over them of 8.1 and 4.3 feet; but there is at least 200 feet width of channel available in passing them, and if well buoyed or marked by spindles, they might not be regarded as serious obstructions.

From three-fourths of a mile above Powow River no continuous 12-foot channel exists, and the available channel gradually shoals to about 6.5 feet at Rocks Bridge, about 10 miles above Newburyport.

At Rocks Bridge, Curriers Shoal, both ends of Silbys Island, and between the bridges at Haverhill the channel has been improved under previous appropriations, and through these points up to Haverhill a channel exists in which about 6 feet can be carried at mean low water, but in places this channel is very narrow and difficult of navigation.

The total length of channel from the bar to Haverhill is 20½ miles, of which 9½ miles will require improvement to make available to Haverhill the same depth of water at mean low water (12 feet) as is obtained over the bar at the mouth of the river.

From the soundings and borings made the general character of the bottom appears to be mud, sand, gravel, and clay, interspersed with large and small bowlders; and at Newburyport, in the vicinity of the north and south piers, at Rocks Bridge, and at Haverhill, ledge will be encountered in the event of improvement.

The river is crossed by 7 bridges, containing conveniently located draws, with widths of opening as follows:

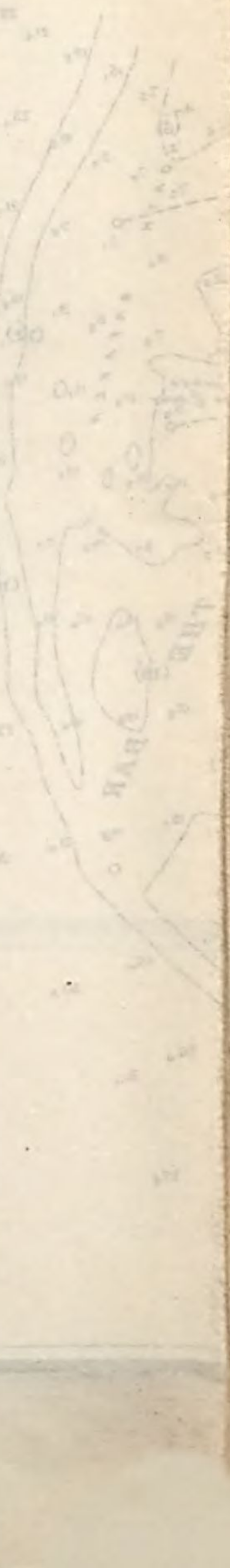
1. Newburyport Highway Bridge, 70 feet.
2. Boston and Maine Railroad Bridge at Newburyport, 63 feet.
3. Deer Island Bridge, 60 feet.
4. Rocks Bridge, 57 feet.
5. Groveland Bridge, 65 feet.
6. Haverhill Bridge, 38 feet.
7. Boston and Maine Railroad Bridge at Haverhill, no draw.

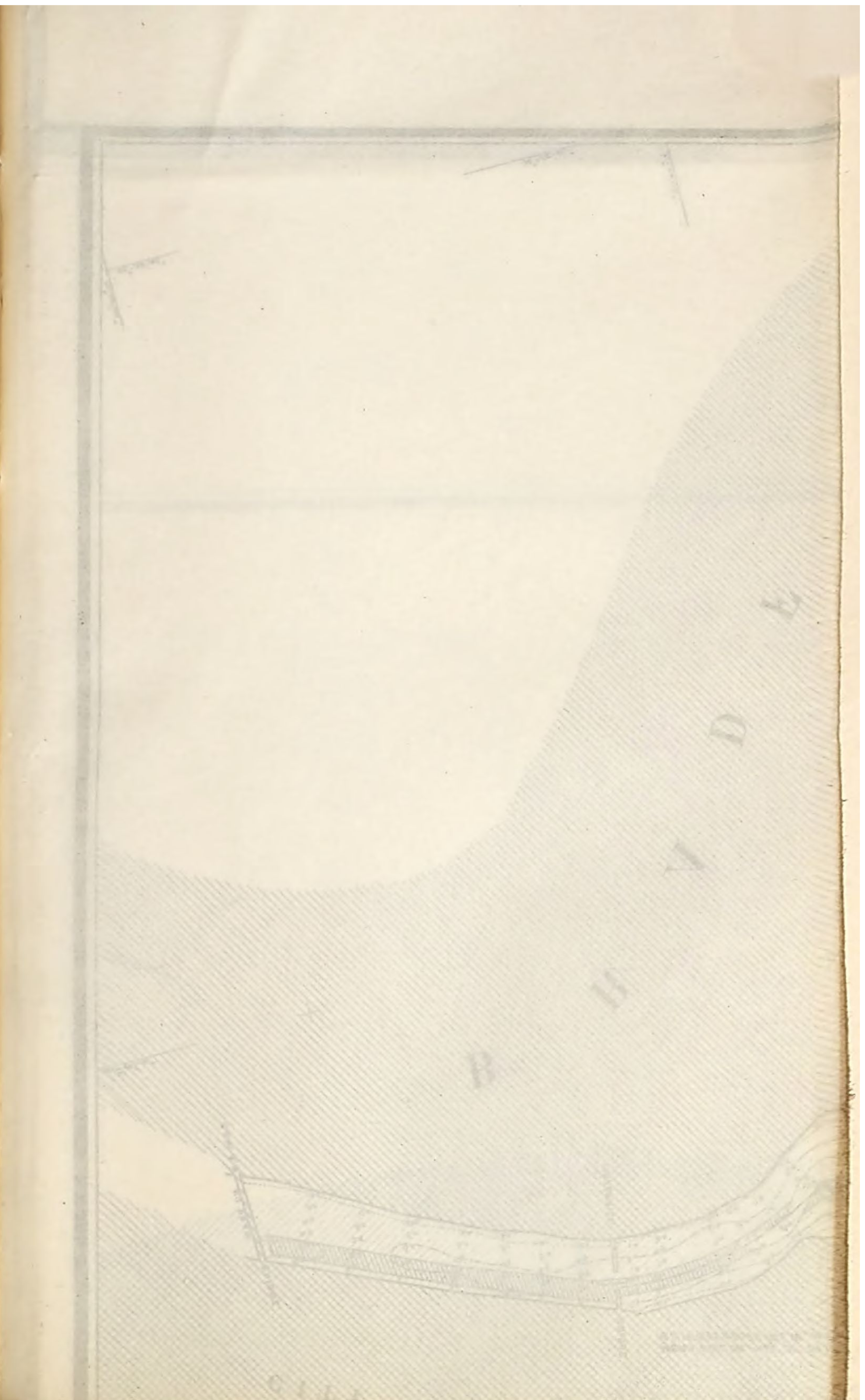
The operations of the party in the field were in charge of Mr. Charles W. Mason, hydrographer.

Very respectfully, your obedient servant,

T. T. HUNTER HARWOOD,
Assistant Engineer.

Lieut. Col. S. M. MANSFIELD,
Corps of Engineers, U. S. A.





54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 169.

FAILURE OF THE SCHEME FOR THE COLONIZATION OF NEGROES IN MEXICO.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

RELATING TO

The failure of the scheme for the colonization of negroes in Mexico and the necessity of returning them to their homes in Alabama.

JANUARY 27, 1896.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

I transmit herewith a report from the Secretary of State with copies of all correspondence of record relating to the failure of the scheme for the colonization of negroes in Mexico, necessitating their return to their homes in Alabama.

I referred to this matter in my message to Congress at the beginning of the present session, and, for the reasons then given, I again urge the propriety of making an appropriation to cover the cost of transportation furnished by the railway companies.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 27, 1896.

DEPARTMENT OF STATE,
Washington, January 25, 1896.

The PRESIDENT:

In your message of December 2 to Congress you adverted to the failure of a scheme for the colonization in Mexico of certain American negroes, to the destitution and suffering which overtook the emigrants in their efforts to return to this country, and to the relief furnished them in emergency by this Government. In the absence of any fund available for payment of their transportation, assurance was given through the consul at Piedras Negras to certain railway companies that Congress would be urged to make an appropriation to cover the cost of transportation of the negroes to their homes. Accounts have been submitted as follows:

The Mexican International Railway Company transported 420 adults

and 83 children from Torreon, Mexico, to Eagle Pass, Tex., a distance of 385 miles, at $6 (Mexican) each for adults (about three-fourths of a cent per mile, United States currency), and half price for children, making the full amount due that railway $1,474.49, United States currency.

The Galveston, Harrisburg and San Antonio Railway (Southern Pacific) transported 334 negroes at the uniform rate of 1 cent per mile each from Eagle Pass, Tex., to New Orleans, La., making the full amount due that railway $2,471.60.

The Louisville and Nashville Railroad Company transported 326 negroes at the uniform rate of 1 cent per mile each from New Orleans, La., to Birmingham, Ala., making the full amount due that railroad $1,141.

The charges amount in all to $5,087.09, and appear to be just and reasonable.

I append copies of the correspondence giving a history of the colony and the itemized statements of the expenses incurred.

Respectfully submitted.

RICHARD OLNEY.

Mr. Burke to Mr. Uhl.

No. 12.] CONSULATE OF THE UNITED STATES,
Chihuahua, May 28, 1895. (Received June 4.)

SIR: I have the honor to inclose deposition of one Sam Claber, an American negro, who, in company with about 750 other Americans, left the United States in September, 1894, and joined a colony in the State of Coahuila, Republic of Mexico.

He states that they were cruelly treated; he with his wife and children and 49 others stole away in the night and were making their way toward the United States; he was very anxious that his story of the wrongs of his people should be presented to the Department of State.

On the same day, May 21, also came to this city one Anthony Jones, an American negro, who had also been a member of the said colony, and who in company with 39 others had stolen away. Mr. Jones claimed that his entire party except himself was overtaken the day following their escape by a party of armed Mexican guards employed by those in charge of the colony, and upon the Americans refusing to return to the colony shot and killed 38; Jones being some distance in advance and by hiding escaped detection and was an eyewitness to the shooting.

When I found Mr. Jones he was very ill and suffering great pain, and it was with great effort that he managed to speak. I called a physician who, after an examination, pronounced Jones as suffering from a well-developed case of typhoid pneumonia. I had him removed to the city hospital and did all in my power for him; he died May 26. Not being able to secure his sworn statement, I questioned the propriety of my writing, but the number of stories which have been circulated concerning reported outrages of this colony has worked the Americans up to a high pitch of excitement.

This colony is just outside of my consular district, 30 miles east of Mapimi.

I am, etc., R. M. BURKE, *Consul.*

[Inclosure.]

UNITED STATES CONSULATE,
Chihuahua, Mexico, May 21, 1895.

Personally appeared before me, R. M. Burke, consul of the United States of America at Chihuahua, on this day, Sam Claber, who, after being duly sworn, deposes and says that his name is Sam Claber, an American citizen, born at Tuscaloosa, State of Alabama, United States of America; he is 26 years of age and married, with wife and two children; he is by occupation a coal miner. In September, 1894, he was induced by false representation to leave his home in the United States with his wife and family, and in company with between 700 and 800 other citizens of the United States, and come to a colony in the State of Coahuila, Republic of Mexico. He states that after arriving at the colony he found they had been deceived; they found themselves in the worst form of bondage, with no hope of ever securing liberty; no letter wrote to friends stating the facts or conditions of their sufferings was ever permitted to reach the United States. He says they were cruelly and inhumanly treated, the food furnished being insufficient and not fit to eat. Notwithstanding that many were ill—due to change of climate, mode of living, etc.—they received no proper medical attendance.

And he further states that any attempt to escape from the colony would, in his belief, be punished with death.

He, in behalf of his remaining relatives who are held against their will, would pray the Department of State of the United States to make an investigation of this colony in the hope that the wrongs which his relatives and countrymen now suffer may be speedily righted and justice done.

SAM (his x mark) CLABER.

Test:
R. ANDERSON,
H. MÜLLER,
E. A. POWERS,
Witnesses to the above.

In witness whereof I have hereunto set my hand and affixed the seal of the consulate of the United States of America, at Chihuahua, Mexico, on the day and year first above written.

[SEAL.] R. M. BURKE, *Consul.*

Mr. Ellis to Mr. Gresham.

TLAHUALILO, *May 31, 1895.* (Received June 10.)

DEAR SIR: In February of present year I imported from the United States some 800 Afro-Americans (citizens) to this Republic under contract which I have inclosed and in every respect complyed with my contract, but from time to time I have noticed articles which have appeared in dierat journels of the United States in which they have survearly critezed me and have printed interviews from prisons supposed to have been here in which they have denounced the interprise as a *slave* Colony and that the people are held in Bondage, but to thease reports I paid no attention, untill I noticed that News had been wired from El Paso Texas under date of May 24th pretending to be an interview from one Sam Clairbone in which he says togeather with 40 others who attempted to escape and that while he ascaped 38 wer shot and gave the names of all he supposed to have remember who wer shot I hare-in send you a Statement of Facts from the men who he says wer shot and denounce the report as untrew and in the name of the Compania Agricola Industrial Colonizadora Limitada del Tlahualilo and in justic to the good Colonist that are here; as well as to my name I brought them here, and feel a grate responciblity on me in *sight* of God and my fellow man and want the truth through your good Office to be made known.

This I ask for an Investigation and any perison you send will be cared for and given all chance and oppitunity to make a thur and compleat investigation to there perfect satisfaction.

And the wold may know the truth.

Hoping an early reply, I am very respectfully,

W. H. ELLIS.

Statement of Facts.

Noticing that there have been circulated In the U. S. A. reported that we were Held Slaves and that on May 9th, 1895, 40 of us were shot we the under Signes are the ones who the report says were killed begin Justice to our Selves Race the feature o the Colony and the Reputation of Mr. W. H. Ellis who has did more for our Race than eny other living Man. Since the days Lm. Lincon on or about the first of April Mr. Ellis left for N. Y. and we herd that he would never return, as he was the only man in this Country we knew and we come Perless Looking to him for our surs-port untill our first crops was greater according to Contrack and fearing he was not going to Return We come to a conclusions to go to the U. S. A. and Started across the Mountain not knowing the Road about 3 o'clock in the day the Mexicans employer told us we would Perish for watter and if we attempted to cross the mountain and allso told us Mr. Ellis was on his way to N. Y. to Mexico we got in the wagon and return no one killed are hurt on Mr. Ellis account our agreement was Straten and Now we are thinging out Cotton

CAL (his x mark) CARDWELL
POMPEY (his x mark) STAKES
JOHN (his x mark) HOLITMAN
JOHN (his x mark) CARDWELL
AME (his x mark) CARDWELL
HOUSTON (his x mark) CARDWELL
MAGGIE (x) THORNEAR
WILLIE (x) PARKER
LILIE (x) HATCLMAN
BILL (x) JUGG
JACK (x) ROGGERS
SID (x) HAMLEN

[No. of tickets, ——. —— pieces of baggage.]

THE STATE OF ——, *County of* ——.

This memorandum of an agreement made and entered into by and between W. H. Ellis, of Tlahualila, Mexico, party of the first part, and —— ——, parties of the second part, witnesseth:

1. The said W. H. Ellis, party of the first part, agrees to furnish said parties of the second part 60 acres of land, or more, according to size of family and working force, situated in the State of Durango, Republic of Mexico, 40 acres of which land is to be planted in cotton and 15 acres to be planted in corn, all of which is to be worked in a skilful and workmanlike manner and under the direction and supervision of the party of the first part, or his representative, said party of the first part reserving the right to hire labor and have said land properly worked. If said parties of the second part should fail to properly work said land, the expense of such labor to be charged to the parties of the second part.

2. The party of the first part agrees to donate or give to the parties of the second part, free of rent, 5 acres of arable land, to be used for the sole purpose of cultivating such vegetables as may be necessary for the sustenance of the family. Under no circumstances are said 5 acres of land to be used for any other purpose than the cultivation of vegetables.

3. The 60 acres of land, or more, rented to the parties of the second part by the parties of the first part shall be free of grubs and all obstacles in the way of farming.

4. The party of the first part obligates himself to furnish the parties of the second part water, free of charge, for irrigation purposes, but in such quantity only as is proportionate to the amount received through the canal for the Tlahualilo Company.

5. All farming implements, such as are used in the United States, and mules and teams for farming purposes and for harvesting purposes, to be furnished free to the parties of the second part by the party of the first part, and food for said teams as well, the parties of the second part obligating themselves to return all of said implements and teams at the end of the year, in as good condition as received, the natural wear and tear excepted, but holding themselves liable for all negligence in breaking said implements or injuring said animals. Said party of the first part agrees to fur-

nish the parties of second part, free of charge, all seeds to be planted, except such garden seeds as may be used for themselves exclusively, and to gin and bale their cotton for $2.50 per bale of 500 pounds.

6. The parties of the second part obligate themselves to gather and harvest all the crop of corn and cotton made by them, and they are to receive one-half of all the crop made by them, to be divided when gathered and harvested.

7. The party of the first part agrees to furnish the parties of the second part within sixty days after their arrival at Tlahualilo, houses to live in, and during said period of sixty days to furnish them comfortable quarters and shelter. Also to furnish them wood and water for home purposes, free of charge, the parties of the second part to cut and haul wood for themselves.

8. The party of the first part further agrees to furnish each working hand, male or female, rations while making their crop, such as bread, meat, beans, coffee, and sugar, in such quantities as he may deem necessary for their sustenance; also to furnish them medicine in case of sickness. All of which advancements shall be repaid to the party of the first part by the parties of the second part out of each crop made by them.

9. The parties of the second part shall have land upon which to build a church and a schoolhouse, not to exceed one church house and one schoolhouse to every one hundred families, and said parties of the second part shall have full and exclusive control and management of said school and church houses, and worship in any manner suitable to themselves.

9. The parties of the second part are to have one-half of the cotton seed as well as half of all other products raised by them, and said parties of the second part obligate and bind themselves to sell all of their cotton, corn, and cotton seed to the party of the first part, provided he shall pay to them as much for said produce as they can obtain in the market.

11. The party of the first part agrees to advance to the parties of the second part transportation or railroad fare to all persons over the age of 12 years and not over the age of 50 years, from their homes in the United States to Tlahualilo, Mexico, the parties of the second part obligating themselves to repay to said party of the first part the amount so advanced for transportation and railroad fare in the following manner, to wit: One-half to paid out of the first crop raised for the year 1895, and the remaining half to be paid out of the second crop made for the year 1896, no interest to be charged. In case of a bad crop year, to be determined by the party of the first part, the parties of the second part shall have the third and fourth year in which to pay the remaining fare found to be due and without interest.

12. The parties of the second part agree to, and do hereby, give a lien on all their crop raised and to be raised on the land leased to them, and on all their baggage, to the party of the first part until all advancements, including transportation and fare, provisions and rations furnished them, and all moneys for whatever purpose advanced, are fully paid.

13. The period of this lease shall be five years, beginning with January, 1895, and ending January, A. D. 1900. Parties of the second part obligate themselves to go to Tlahualilo, State of Durango, Republic of Mexico.

Witness our signatures at —— this —— day of January, A. D. 1895.

——— ———.
——— ———.
——— ———.

Witnessed by—

——— ———.
——— ———.

Mr. Olney to Mr. Butler.

DEPARTMENT OF STATE,
Washington, June 17, 1895.

SIR: I inclose herewith a copy of a dispatch from the United States consul at Chihuahua, Mexico, No. 12, of the 28th ultimo, and copy of a letter of the 31st of the same month from Mr. W. H. Ellis, in relation to the treatment accorded a colony of Americans in the State of Coahuila.

You will ask for an investigation of the reported shooting of escaped colonists, of which Anthony Jones, now dead, claimed to have been an eyewitness, and also of the oppression of the settlers described in the affidavit of Sam Claber.

I am, etc., RICHARD OLNEY.

Mr. Sparks to Mr. Uhl.

No. 81.] PIEDRAS NEGRAS, *June 24, 1895.* (Received July 2.)

SIR: I have the honor to transmit herewith a report relating to a colony of negroes that were brought from the United States last February and colonized near Tlahualilo in the Republic of Mexico.

These negroes went from the States of Alabama and Georgia, or the majority of them did.

Without any desire on my part to advise the Department, I think it would be to the best interests of these negroes and their friends and sympathizers at home to give to the general public, through the associated press or otherwise, my report, or the leading features of said report, in order to contradict the terrible stories of murder and bad treatment of these negroes, who still claim to be American citizens and the protection of that Government.

And besides, my report may deter other negroes who contemplate colonizing in Mexico, or if they do determine to do so, they will to some extent have before them, in an official manner, what they may expect to encounter.

I have, etc.,

JESSE W. SPARKS,
United States Consul.

[Inclosure in No. 81.]

Mr. Sparks to Mr. Uhl.

CONSULATE OF THE UNITED STATES,
Piedras Negras, Mexico, June 22, 1895.

SIR: I have the honor to report for the information of the Department that sometime during the month of February, 1895, a negro by the name of W. H. Ellis, under contract with parties who own a large tract of land in Mexico, near Tlahulilo, brought to Mexico a large number of negroes from the United States—these negroes coming mostly from the States of Alabama and Georgia, and were to be colonized upon this large tract of land, near Tlahulilo, for the purpose of farming upon a large scale. I believe this negro colony is in my consular district, if not, it is very near the line, as the States of Chihuahua, Coahuila, and Durango all come near Tlahulilo. But at any rate some of these negroes have made their way to this consulate and complained to me of the bad treatment they are subjected to in this colony under the management of W. H. Ellis, who, it seems, was the moving spirit in organizing and originating this scheme of colonizing these negroes in Mexico.

I have been hearing many wild rumors of the bad treatment that these negroes were subjected to for some time past.

Hearing on one occasion, in fact it was published in the Houston Post, a widely circulated paper, that 42 of these negroes, becoming restless under the tyranny of W. H. Ellis, which they claim was more than they could bear, undertook to return to the United States surreptitiously, when they were pursued by W. H. Ellis and Mexican officers, overtaken, and 32 of that number, including men, women, and children, were shot down like so many dogs and left dead on the ground, while the balance, 10 in number, were taken back to the colony and subjected to all kinds of harsh punishment and bad treatment. This story being published in such a widely circulated and honest paper as the Houston Post, caused me to look into the matter, when, as I suspected from the first, I found the whole story false, almost in toto, excepting as to the fact that 42 negroes did leave the colony, headed and led by Joe Cardwell, whose statements I hereto attach and which is as follows:

"COMPANÍA AGRICOLA INDUSTRIAL COLONIZADORA,
LIMITADA DEL TLAHUALELO,
"*Tlahualilo, June 11, 1895.*

"The undersigned, Joe Cardwell, declares of his own free will, in the presence of the two witnesses hereto signing, and of 14 other members of the colored American colony of Tlahualilo, that he was the chief of the party of 43 colonists who left the colony in May last and started for the United States. He declares that his only motive in going away was as a blind to satisfy his sons, who wanted to run away to the States in earnest. He declares that after going a certain distance over

the mountains in a direction he knew was not the correct one, he led the party back toward the colony again, with the intention of returning, having proved to the party that the plan of running away was not a sensible plan.

"He also declares that none of the party were killed or wounded by soldiers, or any other person connected with the Tlahualilo Company, and that all returned in perfect safety to their quarters, excepting 21 men and women who separated from the main party and insisted on going ahead. He wishes to state that he was hit by a Mexican with the barrel of a gun, and was confined for nearly two weeks in the colony lock-up and also punched in the hip. He and the witnesses also declare that they have no knowledge of any American being shot or wounded in the above attempt to leave or at any other time, and they all declare that in their opinion this is the only foundation for the stories in the American papers about alleged murder of American colonists.

"Read before the other 14 colonists and signed by—

"JOE CARDWELL.

"Witnesses who sign with him:
"JOHN HOLEMAN,
"THOMAS JONES."

The above disposes effectually of the reported murder of a batch of 40 fleeing negro colonists, as published in the Houston Post and other newspapers in the United States, upon dispatches sent out from El Paso, Tex.

The above statement is authentic, and can be used by the Department in suppressing effectually these raw-head and bloody-bones stories that have been going the rounds of the press.

It appears from this statement of the leader of this gang of 42 that he took charge of the revolt and promised to lead them back to the United States for no other purpose than to deceive them by marching them about over the mountains and through the chapparal, causing them to suffer much for want of food and water, especially water, and that he intended to march them back to the colony, thinking that they would be satisfied with this attempt to return to the United States and remain at the colony and go to work.

From a very intelligent and clever gentleman, who lives in New York City, Mr. Charles Paul Mackie, I learned a good deal about this revolt of the 42 negroes. In fact Mr. Mackie furnished me the statement signed by the leader of these 42 negroes. Mr. Mackie told me he talked with the old negro who led the revolt, and he told Mr. Mackie the reason why he did it was he had two sons nearly grown, and that he learned that his two sons had made up their minds with others to run away and return to the United States, and that he wanted the labor of these two sons, as their labor was bringing him in quite a little revenue, and would in the end bring to him a big sum if he could only keep them until they gathered their crops.

So that when he learned of their intention he proposed to go with and lead them for the purposes stated above.

This old negro, the leader, says after they had been out some days they saw some Mexicans, mounted, coming toward them, and that they began to run and scatter in the chapparal, when the Mexicans began to shoot off their pistols and guns, and when asked by Mr. Mackie if these Mexicans shot at them or killed any of them, he said no; that the Mexicans were firing up in the air; and Mr. Mackie asked him why the Mexicans were firing up in the air. "They were firing up in the air to attract our attention," he said, and that they did halt, and that these mounted Mexicans came up to where they were. Mr. Mackie then asked him if any of them were shot, and he said, "no; none of them," but that about 21 of the revolters, including men, women, and children, took to the chapparal and got away; that is, these Mexicans did not follow them. Mr. Mackie then asked him if the Mexicans on that occasion mistreated them in any way. He said, no; that they did not, except as told in his statement about one of them poking him in the side with his gun, which I believe was a part of the play; but, on the other hand, these Mexicans had brought them something to eat and plenty of water to drink, and that they were nearly famished for water when found by this relief crowd of Mexicans, for it was a relief crowd sent out by the manager of the plantation with provisions, and water for these negroes, which relief crowd the manager started as soon as he learned that the negroes were gone, saying they would famish for water, not knowing the country, and not knowing where water was to be found in this part of the country, they would undoubtedly have died from want of water and food. So that, when the truth is learned, instead of 32 negroes being shot down like so many dogs by the Mexican officers, they were hunted up by these Mexican officers under instructions from the general manager of the plantation, in the rough mountains of Mexico and thick chapparal and given water and food, for both of which they were sadly in need of, and carried back safely to the colony, where the leader, Joe Cardwell, was confined in the colony prison two weeks for the part he took in this "runaway scrape." And I am inclined to believe his imprisonment was a part of the play fully understood by this leader,

and as a blind for the other negroes, to keep them from knowing the actual part Joe Cardwell had played in this revolt. This gentleman, Mr. Charles Paul Mackie, is a man of general information and well posted as to the habits and usages of the Mexican people, speaking the Spanish language well, and he was in this colony several days, mixing about among the negroes, talking to them and asking them many questions as to their treatment, etc.

He says many of the raw-head and bloody-bones stories told about the way these negroes are treated get out through trifling negroes who have left the colony and are trying to make their way back to Alabama and Georgia, and are generally told to sympathizing white people that they meet along their road for the purpose of getting small or large sums of money, but that the negroes that have remained on the plantation and worked have very little to complain of. Mr. Mackie says there is a good deal of sickness among them—more than usual among that number of persons. He attributes this to a change of water, change of food, climate, etc., and he says that the manager of the colony became satisfied that his Mexican doctor did not understand the nature of the disease or its treatment, so that he had secured the services of a good doctor from San Antonio, Tex., Dr. Trollenger, at considerable extra expense, paying his traveling expenses to the colony and back to San Antonio, and paying him $250 cash on his arrival there and $10 per day as long as it was necessary for him to remain there, all to be paid in American money.

I think this very commendable in the management of this colony.

Mr. Mackie says they complain of the water they have to drink. He says it is not the best water in the world, but that he used it while there and experienced no bad result from its use; and he says they complained of the corn meal that was given them; that it was not meal, but simply coarse grits; and he then asked them if they had ever requested the management to furnish them a mill, or stones with which they could grind their meal finer. They said they had not, and the management told Mr. Mackie that the company would furnish them with a mill or stones, if they desired them; that the company had never had any complaint from them before as to the quality of the corn meal used by them. These negroes wanted and demanded fat bacon and fat salt pork, such as they had been used to in Alabama and Georgia. The manager told them he would furnish them all the bacon and salt pork they wanted, but that it would be better for them to use bacon and salt pork in a limited quantity, in this extreme southern climate, and use more fresh beef, as they would be subjected to the scurvy by the continued use of bacon and salt pork. After they were made to fully understand this they agreed to use bacon and salt pork in smaller quantities and use more fresh beef.

But as Mr. Mackie informed me the manager of this colony said to them that he would furnish them all the bacon and salt pork they wanted, but he advised them to use less bacon and salt pork and more fresh beef on account of their health, as it made no difference to the company, for they sold the negroes the bacon, salt pork, and beef. These negroes have to buy their own rations and it is taken out of their crops at the end of the year, so that if they do not get bacon and salt pork it is because they prefer fresh beef, which undoubtedly prevents them from having the scurvy.

These negroes complained that they had no money and that if they had money they could buy what they needed cheaper, so that this company who controls the colony adopted this plan to give them money:

Any of the negroes that will work all day in his own crop—remember that he is to work in his own crop—he can go at night to the "pagaduria" (paymaster's office) and he will receive 50 cents in money. If he has 10 in family, which some have, and all 10 will work all day in their own crops, the head of the family goes to the paymaster's office at night and draws $5 in money. But this money so drawn from the paymaster's office is charged to them, it is only that much advanced to them on their crops, but they can take this money and purchase what they want at any of the stores on the various plantations adjoining this colony, and there is quite a competition among the stores as to prices, as none of them belong to the company but are owned and run by private parties. Mr. Mackie informed me that the first day after this plan went into operation there were 380 negroes at work in their cotton and corn crops, and the next day none. So it would seem that this plan adopted by the company is working admirably, while the company is very kind in advancing these negroes on their crops. This plan also insures a better crop of both cotton and corn, as the negroes are induced by this plan to work their crops better, which will insure a larger yield both for the company and the negro colonists.

All of the above information I received from Mr. Mackie, whom I consider an intelligent and reliable gentleman, but not having been raised among negroes, he thinks they are too exacting and demand more than they are entitled to, and that they give sparingly of their labor in comparison with their demands; and he does not give much credence to the tyrannizing rule of W. H. Ellis over these negro colonists.

On the other hand, I have the sworn statement of Bristo H. Phillips, a very intelligent negro man about 35 years of age, who formerly lived near Tuscaloosa, Ala.

I cautioned Phillips during the time I was writing down his statement to be careful and tell nothing but that which was true, for I soon saw he had the big eye and was inclined to draw a long bow about this whole matter.

He and Mr. Mackie agree in many of their statements, but in some they differ widely. For instance, Phillips says the water they have to use is horrible; that it is as strong as lye, and that from the use of this water the negroes were dying four or five a week, while Mr. Mackie says he used the water all the time he was there, several days, and experienced no bad results from its use. Phillips says instead of furnishing the negroes with good corn meal and good flour, as agreed upon before they left Alabama and Georgia, they were furnished with coarse grits and black flour, when any flour at all was furnished, and that their medical treatment was worthless; but he did not know that the company had engaged a good doctor from San Antonio, Tex., Dr. Trollinger, at the time he left there.

Bristo H. Phillips did not go with the negroes last February when the main body of them went to Mexico, but allowed his wife and four children to go along with the main body and he was to follow on later. He says he got information from his wife that they were being badly treated and half fed, etc., and for him to come after her. He landed in Mexico a short time since and made his way to the colony. He says as soon as W. H. Ellis, the boss over these negroes, learned he was there and had come after his wife and children, he accused him of coming there for the purpose of stirring up strife and sedition among the negroes, and had him arrested and put in jail and threatened to have him shot or hung, and told him he should not have his wife and children, and that he (Ellis) intended to put him in the salt mines, where he would never see daylight again. He says when Ellis had him arrested he sent three miles for a Mexican to come there and lasso him (Phillips) by throwing a lasso over him and dragging him through the colony to show the balance of the negroes the power that Ellis has in Mexico, and especially over them.

Phillips says three other negro men remonstrated with Ellis about having Phillips lassoed and that it enraged Ellis very much at these other negroes, and that he drew his pistol and threatened to shoot them, but that none of them were lassoed but all arrested and put in jail.

Phillips says he was kept in jail about fifteen days in all, but finally turned out and his wife and children given him, and also permission to return with them to the United States.

Phillips thinks Mr. Mackie was instrumental in having him released from jail and of having his wife and children given up to him. He says while he was in jail Ellis came to see him several times and made many terrible threats as how he intended to dispose of Phillips, saying among other things, that if Phillips got his wife and children he would never get back to America with them; that these Mexicans would do anything he told them to do, and that he intended to have Phillips and his wife and children all murdered before they got out of the Republic of Mexico.

Knowing the negro character like I do, that kind of talk from a negro who has power over another negro lays the groundwork for fearful long rawhead and bloody-bone stories of bad treatment, in fact, inhumane treatment, by anybody connected with the colony, when in fact and truth is, the men who compose the company have, in my opinion, done all in their power to supply the wants of these negroes and to alleviate their sufferings. And from all that I can learn I am of opinion that very nearly all the troubles of these negro colonists grow out of the fact that they are in a strange country, among a strange people, not speaking or understanding the language of the country, not used to their laws or customs, and not being accustomed to the strong alkali water and change of climate and change of food, all combining to make them uncomfortable, uneasy, and hard to manage or control.

From information I have I believe the gentlemen who compose the company and own the land upon which this colony of negroes from Alabama and Georgia is colonized have done all they possibly could to alleviate the sufferings of these negroes, and to make them as comfortable as possible under the circumstances.

From information I get both from Mr. Mackie and Bristo Phillips I find the crops now growing, planted, and cultivated by the negroes of this colony are splendid crops of both cotton and corn.

If the negro colonists will only remain and gather their crops they will be well paid for their labor, and the company will receive good rents for their land and investments for farming implements.

I have learned, however, that the gentlemen who compose the company are greatly annoyed and harassed at the dissatisfaction of the negroes, saying these negroes accuse them of not complying with their contracts, when in fact they had no contracts directly with these negroes.

The contracts were made with Ellis and some other person, and the negroes say now that Ellis made many representations to them in America that were not true,

and made them promises he was not authorized to make, nor could he carry out. All these things, taken in connection with Ellis's tyranny over these deluded negroes, brings about in this colony at this time almost open insurrection and rebellion.

Should the Department be of opinion that this matter is of sufficient importance to have a full and authentic report on this subject someone should be sent there with authority to take the depositions of many of these negroes, the general manager, and Ellis. From such proof a positively accurate report could be made. I have made this report from statements made to me by Mr. Mackie, Bristo Phillips, and Mr. Frank Dillon, a civil engineer, employed on the line of the Mexican International Railroad. It is not as complete as I would like to have it, but I thought it best to make to the Department this incomplete report, as it may be inquiries will be made at the Department relative to the horrible stories set afloat about the killing of 32 negroes belonging to this colony by Mexican officers. That part of my report was positively correct and can be fully relied upon.

No one knows what became of the negroes that escaped into the chapparal when the 32 were captured, but it is known that some of them reached the United States, and they are the negroes that started the report that 32 of their gang had been killed. After they took to the chapparal they heard the guns of the Mexicans firing, and just took it into their heads that 32 of their number had been killed, when, in fact, they were treated kindly by being furnished with food and water, both of which they were sadly in need of, and carried safely back to the colony, and none of them imprisoned excepting Joe Cardwell, the leader, and I think that was fully understood between him and the authorities.

If anyone is sent to this colony to investigate more fully this matter, an allowance of funds should be made for expenses of the trip, as this colony is a considerable distance from any railway, and situated in a wild and almost inaccessible part of the Republic.

I have, etc.,

JESSE W. SPARKS,
United States Consul, Piedras Negras, Mexico.

Mr. Adee to Mr. Sparks.

DEPARTMENT OF STATE, *July 8, 1895.*

SIR: The Department has received your dispatch No. 81, June 24, embracing a report on the negro colonists at Tlahualilo and their alleged illtreatment.

The substance of your dispatch has been given to the press, and a copy thereof will be sent to our legation at Mexico.

I am, etc.,

ALVEY A. ADEE, *Acting Secretary.*

Mr. Bankhead to Mr. Olney.

FAYETTE, ALA., *July 9, 1895.*

DEAR SIR: The inclosed letter explains itself. About a year ago quite a number of colored citizens of Alabama were induced to go to Mexico under promises that were encouraging. These people are now there and in a very destitute condition. I do not know that you have any authority to investigate or to offer any assistance in bringing them back to their former homes, but I submit the matter for your consideration. These poor, deluded, ignorant colored people were my constituents and I feel an interest in them. I hope to hear from you on the subject.

Respectfully,

J. H. BANKHEAD.

Mr. Watson to Mr. Bankhead.

WATSONIA, ALA., *June 26, 1895.*

Hon. J. H. BANKHEAD, M. C.,
Washington, D. C.

DEAR SIR: I am requested by a number of the negroes of this section to appeal to you, soliciting your aid and cooperation in any plan you may suggest or think best, to aid their friends and relatives in returning to their former homes from Mexico.

The appeal is made to you in the hope you may obtain governmental aid in this, if possible to insure their prompt return. Late letters from those in Mexico report their condition as being extremely bad, and beg their friends in the States to make all effort to get them again home. They report the climate extremely hot, and that deaths occur almost daily, while many are down with protracted spells, and that great suffering exists throughout the entire colony. In complying with their request to appeal to you I feel that I am in the discharge of my Christian duty toward the poor and (in this instance) suffering humanity. It is true they moved there with their eyes open, and there was nothing compulsory on the part of the Government or any individual resident of this country, but by Mexican effort they were duped into it, and now find themselves most miserably situated. They, being ignorant, are excusable. * * *

I hope I am not asking too much of you in their behalf, and at least would like to hear from you on the subject.

With great respect, I am, yours truly, J. A. WATSON.

P. S.—The colony referred to is in the State of Durango, without any means to pay transportation, nor are their friends here able to furnish it to them. A petition can be gotten up should you deem best, and suit you.

Mr. Sparks to Mr. Uhl.

[Telegram.]

EAGLE PASS, TEX., *July 20, 1895.* (Received July 20.)

Negro colonists of Tlahualilo have revolted and left the colony. Can I be authorized to arrange with railroad for their transportation home, to be paid for by the Government?

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 20, 1895.

Government can not give pecuniary aid to colonists. Do what you can otherwise, and inform Department of any serious developments.

ADEE, *Acting.*

Mr. Sparks to Mr. Adee.

[Telegram.]

C. P. DIAZ, MEX., *July 20, 1895.* (Received July 23.)

Negroes scattered for miles on railroad without friends, funds, or food, living on mesquite beans and branch water. I can do nothing for want of money or authority to spend money. I fear trouble will follow because these negroes are starving. Railroad will make liberal rates. Something should be done at once.

Mr. Butler to Mr. Olney.

No. 37.] LEGATION OF THE UNITED STATES,
Mexico, July 20, 1895. (Received July 27.)

SIR: Pursuant to your instruction No. 34, of 17th ultimo, I have instituted inquiries in relation to the condition of the Afro-American colonists at Tlahualilo, Coahuila, Mexico. See correspondence herewith.

I am, etc., E. C. BUTLER.

[Inclosure 1 in No. 37.]

Mr. Butler to Mr. Mariscal.

LEGATION OF THE UNITED STATES,
Mexico, July 16, 1895.

DEAR SIR: Under specific direction of my Government, I have the honor to request, through your excellency's gracious offices, an investigation as to the reported shooting of escaped colonists from the Afro-American settlement at Tlahualilo, near Mapimi, Durango, and the oppression of the settlers as described in the affidavits herewith submitted.

I beg to reiterate to your excellency, etc.,

E. C. BUTLER.

[Inclosure 2 in No. 37.]

Mr. Butler to Mr. Burke.

LEGATION OF THE UNITED STATES,
Mexico, July 16, 1895.

DEAR SIR: Directed by the Department of State, Washington, D.C., I have this day called the attention of the Mexican foreign office to the case of the reported shooting of escaped colonists from the Afro-American settlement at Tlahualilo, near Mapimi, Durango, and the oppression of the settlers, as described by yourself, under a communication of May 28, instant, to the Department.

From subsequent publications in the newspapers this legation is strongly inclined to consider the story of the shooting as a sensational item.

Have the kindness, however, to send me any further particulars in your possession in regard to the matter.

I have been expecting Mr. W. H. Ellis, the concessionaire, to arrive in this city, but he has not come, hence I have to write to you.

Very sincerely, yours,

E. C. BUTLER, *Chargé d'Affaires.*

[Inclosure 3 in No. 37.—Telegram.]

Mr. Poston to Mr. Ransom.

TORREON, *July 19, 1895.*

Thirty families, 125 negroes, from Tlahualilo are suffering from hunger at Mapimi. Have asked for assistance. What action shall I take?

[Inclosure 4 in No. 37.]

Mr. Butler to Mr. Poston.

LEGATION OF THE UNITED STATES,
Mexico, July 19, 1895.

DEAR SIR: I have just received your telegram of to-day, to wit: "Thirty families, 125 negroes, from Tlahualilo are suffering from hunger at Mapimi. Have asked for assistance. What action shall I take?"

I had already on the 16th instant called the attention of the Mexican Government to the colony matters, and wrote for information to Mr. Richard M. Burke, consul at Chihuahua. I understood that Mr. Ellis, the concessionaire, was expected in this city, and have been waiting to see him before making any move. But he has not come. I trust the application you have made for assistance will be successful. I suggest that you see or write to the governor of Durango, advising him that this legation has addressed the foreign office. He may have some plan formulated.

Very sincerely, yours,

E. C. BUTLER, *Chargé d'Affaires.*

Mr. Sparks to Mr. Uhl.

[Telegram.]

PIEDRAS NEGRAS, *July 23, 1895.* (Received July 24.)

The following telegram from Dr. L. H. Barry just received:

TORREON, MEXICO, *July 23, 1895.*

One hundred and fifty-three negroes from colony are here destitute. Fifteen cases of contagious diseases among them. Surrounded by Mexican police to prevent them entering town. Wire what to do. All are American citizens.

What shall I do? I am powerless and without instructions from the Government.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 24, 1895.

Your two telegrams received. While deeply lamenting unfortunate condition of colonists, constrained to repeat that there is no fund applicable to their maintenance or transportation.

ADEE, *Acting.*

Mr. Sparks to Mr. Uhl.

[Telegram.]

PIEDRAS NEGRAS, *July 25, 1895.* (Received July 25.)

Negroes starving and almost in open rebellion to all authority. Would it be asking too much to request a few thousand rations be sent me from San Antonio for their benefit? I anticipate serious trouble.

President Cleveland to Mr. Adee.

[Telegram.]

BUZZARD'S BAY, *July 26, 1895.* (Received July 26.)

War Department will issue rations for one week, and in the meantime, if return to the colony is not practicable or consistent with humane considerations, let the consul assure the railroad company that payment for transportation of sufferers to their homes will be strongly recommended to next Congress, and probably allowed, and if such assurance will not accomplish the purpose, every possible effort must be made to pay for such transportation from emergency fund or some other fund in the State or Treasury Department.

GROVER CLEVELAND.

Memorandum from War Department, Office of the Secretary.

WAR DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., July 26, 1895.

Telegraphic orders have just been sent to General Bliss, commanding department at San Antonio, Tex., directing that he immediately cause to be sent from San Antonio to United States Consul Sparks, at

Piedras Negras, Mexico, 1,500 army rations for distribution by him to the negro citizens of the United States who are destitute and in need of immediate relief.

Also, General Bliss has been directed to immediately order Surgeon Ten Eyck from Eagle Pass to confer with Consul Sparks at Piedras Negras, and visit personally the destitute negro citizens near that place who are reported to be suffering from a contagious disease, and to make immediate telegraphic report respecting their condition and needs to the Surgeon-General of the Army.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 26, 1895.

War Department will ship 1,500 rations to you from San Antonio, Tex., and if return to colony is not practicable or consistent with humane considerations, assure railroad company that payment for transportation of sufferers to their homes will be strongly recommended to next Congress and probably allowed. If such assurance will not accomplish the purpose wire this Department.

State number needing aid.

ADEE, *Acting.*

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 27, 1895. (Received July 27

Surgeon Ten Eyck ordered to investigate sanitary condition of fugitives. Do not attempt to procure transportation in any case where surgeon can not give clean certificate.

ADEE, *Acting.*

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, *July 27, 1895.* (Received July 27.)

The order for 1,500 rations and transportation made me and the negroes happy as a big sunflower. None will return to the colony. Everybody on this frontier praises and thanks the Government for this action. I fear quarantine from Texas authorities.

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, *July 27, 1895.* (Received July 27.)

Forty-six negroes in quarantine at Eagle Pass by Texas authorities I crossed them over the Rio Grande last night. Twenty-five sick at Torreon with smallpox, 8 seriously. Local authorities at Torreon say they can no longer sustain these negroes. All the well ones, 150, will

arrive here to-morrow. I will send rations to the sick who remain. Praise should be given Mr. W. M. Johnson, the general manager of this railroad. He is feeding these negroes in Mexico at his own expense. All moving smoothly now.

Mr. McCaughan to Mr. Adee.

No. 57.] CONSULATE OF THE UNITED STATES,
Durango, Mexico, July 27, 1895. (Received August 6.)

SIR: I have the honor to report that my attention was first called to the fact of there being any suffering among the negro colonists at Mapimi, in this consular district, by a telegram from Mr. L. F. Poston, consular agent at Torreon, of date July 19, 1895, which is inclosed herewith, marked Exhibit A, and made a part hereof.

I answered said telegram on the same day by letter and inclose copy of my answer herewith, marked Exhibit B, and made a part hereof.

To this letter I received a reply from Consular Agent Poston of date July 21, 1895, which is inclosed herewith, marked Exhibit C, and made part hereof.

On July 22, 1895, I presented the matter to Consul-General Donnelly by a letter, a copy of which is inclosed herewith, marked Exhibit D, and made a part hereof.

On July 22, 1895, I presented the matter to C. K. Dunlap, esq., general traffic agent of the Mexican International Railroad, by letter, a copy of which is inclosed herewith, marked Exhibit E, and made a part hereof.

I did not present the matter to officials of the Mexican Central, because they had already issued orders on the subject.

On July 23, 1895, I received a second letter from Consular Agent Poston in relation to the matter which is inclosed herewith, marked Exhibit F, and made a part hereof.

On July 24, 1895, I wrote to Consular Agent Poston and inclose copy of my letter, marked Exhibit G, and made a part hereof.

On July 25, 1895, I received a third communication from Consular Agent Poston, which I inclose herewith, marked Exhibit H, and make the same a part hereof.

The Daily Express, of San Antonio, of date July 25, 1895, published certain dispatches from Washington which show that Consul Sparks, of Piedras Negras, has the matter more or less in charge. Said dispatches are inclosed herewith, marked Exhibit I, and made a part hereof.

Mr. J. F. Mathews, president of the Velerdena Mining Company, and mentioned in mine to Mr. Poston of July 24, 1895, was anxious to procure labor for the smelters belonging to his company, and offered to give employment to 50 men and to furnish transportation, houses, etc., for them and their families, but the people would not accept work.

Practically all the people have now been carried north by the Mexican International Railroad.

Mapimi and Mapimi Station, where the negroes have been, as well as Torreon, the point to which they were moved, are all in the consular district of Durango, of which I am consul.

Mr. Burke, mentioned in the letter of Mr. Poston of July 23, is consul of the district of Chihuahua.

Mr. Sparks, mentioned in the dispatches in the San Antonio Express, is consul of the district of Coahuila.

I had heretofore supposed that the Republic of Mexico was divided into separate consular districts in order to prevent confusion and conflict, and that each consul was to look after and report upon affairs in his own district.

It appears, however, that I was mistaken in this conclusion, and this matter in relation to the negroes, apparently being in the hands of consuls outside of this district, it was possibly my duty to let them look after it without action on my part.

With a view to cases which may arise in the future, I beg to be instructed under what circumstances I shall be expected to take cognizance of affairs in other consular districts, and under what circumstances I will be expected to stand aside and allow other consular officers to take charge of business originating in this district.

From all I have been able to learn Consular Agent Poston, of Torreon, who is in the immediate neighborhood of this trouble, has been prompt, diligent, and judicious in the matter, and I am not aware of any particular delinquency in the case on my own part.

I have not been in any manner advised as to why Mr. Poston and myself could not have been permitted to deal with and report upon the case.

Your obedient servant, JOHN S. MCCAUGHAN,
Consul.

EXHIBIT A.

Mr. Poston to Mr. McCaughan.

[Telegram.]

TORREON, *July 19, 1895.*

Committee of 4 negroes have applied for assistance for 125, who they claim are starving at Mapimi Station. Answer action.

L. F. POSTON.

EXHIBIT B.

Mr. McCaughan to Mr. Poston.

UNITED STATES CONSULATE,
Durango, July 19, 1895.

SIR: Your dispatch of this date, which reads as follows, to wit: "Committee of 4 negroes have applied for assistance for 125, who they claim are starving at Mapimi Station. Answer action," just at hand.

This presents a most distressing case, but one in which you and I are practically unable to afford relief.

Though not so stated in your dispatch, I assume that these people are citizens of the United States, and part of some several hundred recently imported by some speculators in human poverty and credulity.

I assume also that this committee has appealed to you under the erroneous, though general, belief that the Government furnishes financial relief through its consular officers.

Such applications are of constant occurrence, both sustenance and transportation being asked for.

But these poor people, as well as others, must be made to fully understand that the Government makes absolutely no provision whatever for them, and that officers of the consular service have not one dollar at their disposal with which to aid persons in distress.

The statement of these facts often arouses a feeling of anger and resentment, and as it is the duty of every citizen to maintain and cherish love of country, it would seem proper for consular officers, when making these statements, to remind applicants that every county in every State of the Union makes provision for its poor,

that the Government did not send them away, that they voluntarily left the provision made for them, that the Government can not in justice to its other citizens from whom its revenue is derived, follow travelers into foreign lands and pay either their board bills or car fare. The Government does and will provide its citizens in the maintenance of all their rights wherever they may go; but those who voluntarily place themselves beyond the reach of the provision made for the aid of those in distress must expect to rely upon their own resources.

Though not accurately informed as to the facts, it is my understanding that the negroes, now in the neighborhood of Mapimi, were brought out under some kind of a contract with certain land speculators.

You will thoroughly investigate this matter and report whether or not this is the case, and if such is the fact you will also ascertain all the particulars relating to such contract, and whether or not the contract, if any, has been violated to the injury of these parties; and if such is found to be the fact assure the parties that consular officers will take pleasure in rendering them any possible aid, and that they may be confident of ultimate justice so far as redress is possible. For, after an experience of more than six years in the State of Durango, it is a pleasure to testify that the governor and subordinate officers are ready and willing to mete out justice to every American citizen, whether rich or poor.

But this offers no immediate relief, and here is the difficult part of the question. For reasons shown above no aid can be expected from the United States Government, both the civil and charitable institutions of this country have the burden of their own poor, hence much aid can not be expected from this quarter, and the foreign population is so small, and the demands for its aid so many, that we can hope for but little from this source.

It would seem, therefore, that these people must rely upon their own efforts. There is but little idle labor this year, and if proper effort to secure work is made there need be but little actual suffering.

But people must not be choice about the kind of work, nor particular as to the amount of pay. They should also scatter as much as possible. It will be impossible for so many to find employment together, and by remaining in a body they only make it the more difficult to procure either aid or employment. Urge them to scatter out on to the farms and to the mining camps, and work faithfully at anything they can find to do. A short time ago Mr. W. L. Eaton was wanting 12 or 14 teamsters, besides other laborers. He preferred negroes and would advance traveling expenses. He is operating a large mine and could doubtless give employment to 25 or 30 men. If there are teamsters among these men and they are willing to go it would be best to wire Mr. Eaton.

Then let a list of the people be made, stating age, sex, and kind of work to which accustomed, and also whether or not they speak Spanish, and we will do all we can to find them places. Think a few could get situations here.

As there is an open account between us, you will please charge me with $5 and use the same in telegraphing, the purchase of corn, or such other manner as in your judgment will afford the greatest relief; I will also present the matter to others here and forward any funds which may be secured.

I will also lay the matter before the officials of the International and Central railroads and see what, if anything, can be done in relation to return transportation to the United States or to other points for securing employment, and though railroads are built as financial undertakings and not as charitable institutions, they would doubtless take pleasure in rendering assistance.

I will also lay the matter before Consul-General Donnelly, who can be depended upon to take any action or make any suggestion which is practical in the matter.

It is in this instance to be regretted that we can not afford greater and more immediate relief, but I think of nothing more within our power.

I am, etc.,

J. C. McCAUGHAN, *Consul.*

EXHIBIT C.

Mr. Poston to Mr. McCaughan.

UNITED STATES CONSULAR AGENCY,
Torreon, July 21, 1895.

SIR: Your communication in answer to my dispatch of 19th duly received, and I have carefully noted the points which you clearly state therein, and have communicated same to the committee of negroes who are still here in behalf of the ones in distress. I have, with the assistance of the presidente municipal of this place and

the jefe politico of the city of Leredo, made arrangements for immediate relief by the voluntary donations of the public, of which we have raised about $100. I had a beef killed at Mapimi Station, and bread, beans, and other substantial food prepared for them yesterday morning. There are now about 25 at this place, and remaining at the farm they claim about 75 unable to travel from sickness and lack of medical aid and food. The Mexican Central Company has issued orders to carry all those at Mapimi to this place; this will leave at least 150 of them here, and a recent report is that all of them from the farm are en route for here, except those who are sick and can not travel; this will naturally leave it very urgent on the International Railway Company to carry them to the line, as after this voluntary subscribed food is gone it will be impossible to raise more by same means. As for contracts I will finish taking their testimony to-morrow and report same; there will be also a report of cruelty upon these people by the officers at the farm. There are so many women and children among them I fear it will be difficult to get them to scatter and look for work here. I will make another report in a day or so. Any donations from Durango will be thankfully received by the aid committee.

I am, your obedient servant,

LENIOUS F. POSTON,
United States Consular Agent.

EXHIBIT D.

UNITED STATES CONSULATE,
Durango, Mexico, July 22, 1895.

SIR: I inclose copy of my communication of the 19th instant to Consular Agent Poston at Torreon, which presents the facts in relation to negroes in distress as fully as I am able.

Suggestions from yourself will be appreciated.

There are so many persons asking relief from the consular officers that I will send copy of my letter to San Antonio Express and one or two other papers for publication, unless you think best not to do so.

I am, sir, your obedient servant,

JOHN S. MCCAUGHAN, *Consul.*

Hon. JOSEPH G. DONNELLY,
United States Consul General, Nuevo Laredo.

EXHIBIT E.

Mr. McCaughan to Mr. Dunlap.

UNITED STATES CONSULATE,
Durango, Mexico, July 22, 1895.

DEAR SIR: Allow me to inclose copy of my letter of 19th instant to Mr. Poston, consular agent at Torreon. You have doubtless heard of the distress amongst the negroes recently imported to Mapimi.

I do not feel called upon to do anything more than call your attention to this matter. I may remark, however, that since writing the letter, of which inclosed is a copy, I have been informed that the Central road has given orders to bring these people all down from Mapimi to Torreon.

I remain, dear sir, yours truly, J. S. MCCAUGHAN, *Consul.*

EXHIBIT F.

Mr. Poston to Mr. McCaughan.

UNITED STATES CONSULAR AGENCY,
Torreon, Mexico, July 23, 1895.

SIR: The Mexican Central Railway Company delivered at this place yesterday 240 of the negroes from Mapimi Station, and last evening all arrangements had been made through the courtesy of the Mexican International Railway Company to haul them all to the border line, but a few of them being sick a medical examination was made by Drs. Barry, Austin, Leffler, and Lora, and it was discovered that there existed 11 cases of smallpox in the party. This notice, of course, coming to the I. M. Rwy.

authorities they now can not move any of these negroes aboard their trains. The local authorities were at once notified of the condition of affairs and asked for their assistance. The case as it stands now is a very critical one, and I see no other relief for the matter only that our Government takes action in the matter and at once. Everybody seems to look to the consular officers to give relief, and I have exhausted the funds collected here and will find it difficult to obtain more money this way. The presidente municipal has telegraphed the facts to the governor of the State; no answer from him yet. I am just in receipt of telegram from Mapimi Station which reads as follows:

[Translation.]

"A hundred negroes here who wish to leave, and solicit aid from you. Two are seriously ill; nothing to eat.

"INDALECIO VALADOZ."

Now, it don't seem possible to permit these people to starve, still I don't see where to obtain relief if the State of Durango don't do something toward their relief. I received a communication from Mr. Butler, chargé d'affaires, legation in Mexico. He states that he had already, on the 16th instant, taken the matter up with the Mexican Government, and had written for information to Mr. R. M. Burke, consul at Chihuahua. He also suggested that I see or write to the governor of Durango advising him that the legation has addressed the foreign office; he may have some plan formulated, so I presume you have already communicated with the governor on the matter. A great many of the women could obtain employment here as cooks, etc., but now the families are afraid to have them around for the fear of the pest. I will make an effort to do something toward relief of the ones at Mapini. Should you obtain any assistance from the public at Durango it will be thankfully received.

I remain, your obedient servant,

LENIOUS F. POSTON,
United States Consular Agent.

EXHIBIT G.

Mr. McCaughan to Mr. Poston.

UNITED STATES CONSULATE,
Durango, Mexico, July 24, 1895.

DEAR SIR: Find it very hard to obtain much help here for the colored people. Torreon, you know, is not in the State of Durango, so Government can do nothing, and private parties do not seem anxious to invest. However, we have done a little and will try for more. The following contributions have been made:

Ed. Williams	$12.00
W. E. West	5.00
W. H. Swark	5.00
Cash	1.00
Cash	2.00
Mrs. J. S. McCaughan	10.00
J. S. McCaughan (second)	5.00
Total	38.00

This has all been paid in, and I will try and send it to you by express in the morning, but even if it does not reach you at that time you can depend upon it and spend the amount as needed.

Mr. J. F. Mathews, president of the Valerdena Company, it is supposed, will go from the mines to Torreon to-morrow, and I understand he can give employment to 30 or 40 men at once. They have houses there, so that men can go with their families and find houses, food, and permanent employment in a good healthy place.

If he is not on the train telegraph to Valerdena. Three of the smelters are now shut down for want of men, and there does not seem much doubt about their giving employment to quite a body of workmen and thus providing for a large part of the people.

If work can be secured the people must understand plainly that they must accept it or shift for themselves. If they refuse work when it can be had they need not expect any further help.

Yours truly,

J. S. MCCAUGHAN, *Consul.*

EXHIBIT H.

Mr. Poston to Mr. McCaughan.

TORREON, MEXICO, *July 25, 1895.*

DEAR SIR: Your favor of 24th instant is at hand and contents noted. The contributions of $38 has been placed on the list and shall be used to the best advantage for the relief of the poor negroes. I saw Mr. Mathews get off the train and will have a talk to him about work for these men who are now here and who are awaiting my orders. I have also work in view near Picordios, chopping wood, and expect a favorable reply by to-morrow from the persons in charge, but will take first that is offered. There are now 17 in the pesthouse sick. The public generally have been very kind in donations of provisions for these poor people, and I can say with pleasure that they have not wanted for sustenance of life since arriving here. If I am successful in obtaining work in a day or two for the well ones we can then provide for the sick by contributions. They all seem to be improving to-day. We have through the local authorities asked Mr. Johnson to haul the negroes not sick north to Mondova, or some other place, as I have been informed that Contractor Robinson needs laborers, and I expect a favorable reply from this quarter this evening or to-morrow. Again thanking you and all those who contributed to the relief of these unfortunate negroes, I remain,

Yours truly, S. F. POSTON.

EXHIBIT I.

[From the San Antonio Daily Express.]

WASHINGTON, *July 24* (Special.)—The telegram received to-day at the State Department from Consul Sparks at Piedras Negras, detailing the deplorable condition of the negro colonists in Mexico, is very different in tenor from the report originally made by Mr. Sparks, in which he expressed the opinion that the first reports were greatly exaggerated, and that these negroes were not suffering, but, outside of the severity of the negro overseers, were well treated and well paid.

The officials of the State Department are by no means communicative concerning this matter, refusing to permit Consul Sparks's entire report to be given out for publication. While this reticence is usually observed at the Department touching reports from consuls, which are considered confidential, it is believed that some definite action will now be taken looking to the relief of these negro colonists.

DESTITUTE NEGRO COLONISTS.

WASHINGTON, *July 24.*—Bad news has been received at the State Department from the colony of American negroes who went to Mexico some time ago and settled on a tract of land near Tlahualilo. A telegram was received at the State Department this morning from United States Consul Sparks at Piedras Negras, stating that the negroes are in a deplorable condition. These emigrants went from the Southern States of the United States, mostly from Alabama and the Carolinas, under the most alluring promises from the emigration agents of comfortable homes in Mexico, but from all accounts they have been illtreated and suffered great hardships from the time of their arrival in that country.

Consul Sparks says the negroes are scattered for miles along the railroad, without friends, funds, or food, living on mesquite beans and branch water. The consul says he can do nothing toward their relief, and fears trouble, as the negroes are starving.

The consul reports that he received a telegram from Dr. Barry, from Torreon, dated July 23, to the effect that 153 negroes from the colony were there in a destitute condition, with 115 cases of contagious disease among them. The Mexican police had prevented them from entering the city.

A letter on the subject had been received at the State Department from Representative Bankhead, of Louisiana, inquiring whether the Government could assist in bringing back to their homes this colony of colored citizens, who are destitute. The Department has tried in every way to afford relief in the case, but it is well nigh impossible. The consul at Piedras Negras has been instructed to render any assistance he can extend and to report any serious developments.

Our chargé at the City of Mexico has been instructed also of the state of affairs, as reported by the consul, and instructed to inquire into the treatment of the colonists. The Department of State has no funds which can be applied to maintaining destitute citizens other than seamen in foreign countries, and it has been obliged so to inform the consul and all those persons who have made inquiries concerning those colonists.

Dr. Ten Eyck to the Surgeon-General.

[Telegram.]

EAGLE PASS, TEX., *July 27, 1895.*

Forty-seven negro colonists arrived here last night; only one sick; well cared for. About 150 expected here by train to-morrow. All will be quarantined by State medical officer and cared for. Twenty-five are sick at Torreon, but are reported as well cared for by manager of Mexican International Railroad by municipality. No present necessity of my leaving is apparent. Situation not grave.

TEN EYCK, *Assistant Surgeon.*

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, *July 28, 1895.* (Received July 28.)

Negroes arriving, and will have to remain here thirty days on account of smallpox; have no room for them; want 25 tents immediately. I will also want rations for 200 negroes for at least twenty-five days; all moving smooth otherwise.

Mr. Adee to Mr. Lamont.

DEPARTMENT OF STATE,
Washington, July 29, 1895.

SIR: I have the honor to inclose for your consideration two telegrams from the consul at Piedras Negras stating that certain negro colonists from Mexico are in quarantine at Eagle Pass, Tex., and that tents and rations are necessary in order to properly care for them.

Reference is made to the negroes who went from Georgia and Alabama to Tlahualilo as colonists, and who have since become dissatisfied and are returning home.

I have, etc.,

ALVEY A. ADEE, *Acting Secretary.*

Dr. Ten Eyck to Surgeon-General.

[Telegram.]

EAGLE PASS, Tex., *July 29, 1895.*

Nearly 200 negro colonists arrived here yesterday. Eight are sick with variola; well cared for and quarantined by State medical officers. The sick at Torreon are reported as doing well, except one. All reported as well cared for.

TEN EYCK, *Assistant Surgeon.*

Mr. Sparks to Mr. Uhl.

[Telegram.]

PIEDRAS NEGRAS, *July 31, 1895.*

Mexican authorities will not permit me to ship rations to starving negroes at Torreon unless I pay duty when crossed. I have no money for that purpose. What shall I do? All negroes that have arrived

here I have crossed over in Texas, over 300, where the quarantine authorities have them. All moving well except smallpox has broken out among them. These negroes are naked as frogs. What shall I do for clothing? Over 300 yet at and near Torreon.

J. W. SPARKS.

Mr. Lamont to Mr. Adee.

WAR DEPARTMENT,
Washington, D. C., July 31, 1895. (Received July 31.)

SIR: I have the honor to acknowledge the receipt of your letter of the 29th instant, inclosing two communications from the United States consul at Piedras Negras, Mexico, asking rations for twenty-five days for the 200 negroes in distress in that vicinity, to which reference has been made in previous communications.

The consul evidently misapprehends the power of this Department in the premises, and I beg to suggest that he be advised that under existing circumstances no further assistance can be had from this quarter.

Very respectfully, your obedient servant,

DANIEL S. LAMONT,
Secretary of War.

Mr. Adee to Mr. Butler.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 31, 1895.

By President's direction War Department has sent rations to feed starving fugitive negroes from Tlahualilo colony. Consul at Piedras Negras reports Mexican authorities will not permit him to send rations to negroes at Torreon unless duty be paid thereon. Can not Mexican Government further our humane purpose by suitable instructions to customs officers?

ADEE, *Acting.*

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, *August 1, 1895.* (Received August 1.)

Mexican Government will not let me bring rations across without paying duty, between $150 and $200. What shall I do? United States Consular Agent Poston at Torreon urging me to forward rations. There are over 200 negroes at that point, 45 sick. As fast as negroes arrive here I cross them over into Texas, where Texas quarantine authorities take charge of and are feeding them. Negroes at Torreon will suffer unless I can get these rations to them.

Mr. Adee to Mr. Butler.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 1, 1895.

As no more rations can be supplied Consul Sparks has been instructed to utilize those already sent on American side of the line. Do not press suggestion in yesterday's telegram.

ADEE, *Acting.*

Mr. Adee to Mr. Lamont.

DEPARTMENT OF STATE,
Washington, August 1, 1895.

SIR: I have the honor to acknowledge the receipt of your letter of July 31, stating that the consul at Piedras Negras appears to misapprehend the powers of your Department in affording relief to the negro colonists returning from Tlahualilo.

In reply you are informed that the consul has been informed by telegraph in accordance with the suggestions made in your letter, and advised to economize the rations already received for the relief of such fugitives as he may have sent over to the Eagle Pass side of the line. This was done in view of a telegram from the consul dated July 31, of which a copy is inclosed for your information.

I have, etc.,

ALVEY A. ADEE,
Acting Secretary.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 1, 1895.

Your telegram relative to relief at Torreon received. War Department can not supply clothing or any more rations. Best economize at frontier rations already sent.

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, *August 2, 1895.* (Received August 2.)

The Mexican Government will allow rations to cross free at this time, provided the United States will be responsible for the duties, provided the Congress of Mexico does not release these duties when it meets. Shall I cross the rations with this understanding?

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 2, 1895.

No authority of law to guarantee duties as suggested.

ADEE, *Acting.*

Mr. Sparks to Mr. Adee.

[Telegram.]

PIEDRAS NEGRAS, MEXICO,
August 3, 1895. (Received August 3.)

Can not cross rations into Mexico without paying duty. Can I turn these rations over to the Texas quarantine officers at Eagle Pass? They are begging for them, and have near 300 of the negroes. One hundred and fifty more will be here to-morrow. I shall cross them as soon as they arrive to Eagle Pass quarantine camp. Answer.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 3, 1895.

Rations are for use of suffering negroes from colony. Apply them where they will accomplish that purpose. If Texas authorities willing to aid in their distribution, accept their cooperation.

ADEE, *Acting.*

Mr. Butler to Mr. Olney.

No. 44.] LEGATION OF THE UNITED STATES,
Mexico, August 3, 1895. (Received August 12.)

SIR: In continuation to my No. 37, of 20th ultimo, I beg to inclose a report regarding the American negro settlement at Tlahualilo, Durango, furnished, at request of this legation, by Señor Juan Llamedo, president of the Tlahualilo Colonization Company.

Submitting, also, correspondence exchanged with the foreign office and copies of other communications relative to this case,

I am, etc.,

E. C. BUTLER.

[Inclosure 1 in No. 44.—Translation.]

Mr. Mariscal to Mr. Butler.

DEPARTMENT OF FOREIGN AFFAIRS,
Mexico, July 19, 1895.

Mr. CHARGÉ, etc.:

Acknowledging receipt of your note of the 16th instant, and inclosures thereof, relative to the colony of Afro-Americans established at Tlahualilo, Durango, I have the honor in reply to state that I have addressed the department of public works in request of information concerning the facts in complaint.

I am, etc., IGNO MARISCAL.

[Inclosure 2 in No. 44.]

Mr. Butler to Mr. Mariscal.

LEGATION OF THE UNITED STATES,
Mexico, July 27, 1895.

DEAR SIR: I have the honor to acknowledge receipt of your excellency's note of the 19th instant, courteously advising this legation that you had requested from the department of public works information concerning the condition of the Afro-American colony at Tlahualilo, Durango. Trusting that the efforts so kindly made by the Government of Mexico in behalf of these destitute and suffering Americans may result in their relief, I beg to remain, with appreciation and regard,

Your very sincere friend,

E. C. BUTLER.

[Inclosure 3 in No. 44.]

Mr. Butler to Mr. Llamedo.

LEGATION OF THE UNITED STATES,
Mexico, July 30, 1895.

DEAR SIR: Referring to the conversation with which you kindly favored me yesterday afternoon, in relation to the affairs of the Tlahualilo settlement, Durango, I pray that you will be good enough to give me a statement of the condition of the settlers, such as you graciously promised me at our interview.

As I then explained, I wish the information for the Department of State, Washington, D. C., from which source I have received several inquiries in relation to the matter.

Thanking you for your courtesy in this case to this legation, and trusting that you can conveniently furnish me the data desired, I beg to remain,

Very sincerely, yours,

E. C. BUTLER.

[Inclosure 4 in No. 44.—Telegram.]

Mr. Sparks to Mr. Ransom.

PIEDRAS NEGRAS, *July 31, 1895.*

Permission for me to ship rations to starving negroes at Torreon. Authorities here will not ship rations unless I pay duty. Answer.

[Inclosure 6 in No. 44.]

Mr. Butler to Mr. Mariscal.

LEGATION OF THE UNITED STATES,
Mexico, July 31, 1895.

DEAR SIR: As your excellency will note by inclosed copies of telegrams received to-day from the Department of State, Washington, D. C., and from Mr. Jesse W. Sparks, the United States consul at Piedras Negras, Coahuila, a supply of food provisions, designed for the destitute and starving negroes at Torreon, late of the Tlahualilo colony, and consigned under direction of the President of the United States by the War Department for that specific purpose, have been held for duties by the Mexican collector of customs at Piedras Negras, Coahuila. Under specific direction I so advise your excellency, praying that through your good offices the Mexican treasury department, if practicable, may issue orders by telegraph for the duty-free entry of these provisions so sadly needed. I am informed that 60 negroes or more have already died.

Most respectfully, etc., E. C. BUTLER.

[Inclosure 8 in No. 44.—Translation.]

Mr. Llamedo to Mr. Butler.

[Agricultural Industrial Colonization Company, Limited, Tlahualilo. Anonymous Company Board of Directors.]

MEXICO, *August 3, 1895.*

DEAR SIR: I respond to your favor of the 30th of July ultimo, and it gratifies me, as I promised in our interview, to inform you as to all the negro workmen who came consigned to the hacienda or farms of the Tlahualilo Company.

As I take it that you know the contract * which the company I represent made with Mr. W. H. Ellis, I do not need to dwell upon it, but will do so with pleasure if you deem it advisable. I will add, though, that no suit or action has been brought against the said company; and, through me, the company has the satisfaction of informing you that the contract has been strictly complied with thereby.

After the negroes had been placed in their dwellings and had received the implements for agriculture needed by them and the lands they were able to cultivate, it was noticed that in greater part they were not field hands and that they absolutely had no notions of the cultivation of cotton, for which purpose they were brought thither. The few who really did work were insufficient to induce, by their example, work upon the part of the rest; nevertheless the company did not hesitate to supply to all what under the contract was called for.

The tendency, with few exceptions, shown by the negroes not to work brought about a consequent state of demoralization. Although these did not work, and

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*Reported to Department in Chargé Butler's No. 451, March 6, 1895.

still were supplied for their needs, they were not content, as was evidenced by their flight from the settlement in various parties, a proceeding which the company employees did not prevent, as they were not called on to do so. I should add that the manager once acted either officiously or, if you please, under humanitarian impulses. Upon the escape of one party of 40 negroes, whom he ascertained had started in the direction of the desert, and aware also that a tragic end thus awaited them if they failed to make good return, he at once ordered from the general commissary that wagons loaded with food and water and accompanied by an escort should start out to find the astrays and save them from certain death. They overtook the party and found five at the side of the road in an almost dying condition. After a brief resistance, which fortunately had no lamentable consequences, the guards obliged the negroes to return to the starting point, so that they might, whenever they desired, go North along a route devoid of the dangers described.

Thus matters rested for awhile. Finally, a disease, confined alone to the negroes, broke out among them and several lost their lives, while the company doctor could find no adequate remedy therefor; therefore a physician was brought from San Antonio, Tex., who pronounced the disease to be a kind of malaria, but found no remedy for it. Smallpox broke out afterwards, which caused some deaths.

Let me add that the laziness of the negroes in the first place, and later on the supervening state of disease, caused immense demoralization, and no one cared to work in the fields. The company had no right to hinder them, and allowed those who wished to to go. But when Mr. Ellis advised that it was impossible for him to restore order among them and get them to work, the board of directors decided to pay the passages home of the women, children, and old people, and the sick, returning them as they came.

The manager of the company was at the time in this city and he was given authorization to rescind the contract if agreeable to Mr. Ellis, and also to carry out the decision of the board to which, in the foregoing paragraph, I had the honor to invite your attention.

I have not had any official notice further than the telegram which I have just received, and which, in original, I send you, asking that you may return it when you finish with it.

This company has sustained great loss by the importation of the negroes, and regrets that they have not met with the prosperity which in all sincerity we had hoped they would attain, while we have omitted no measure calculated for our mutual advantage. However, this unfortunate affair has given me the high honor of your acquaintance, which I regard as a pleasing compensation for so much of trouble, praying that you will accept, etc., etc.

JUAN LLAMEDO.

[Subinclosure A in No. 44.—Translation.—Telegram.]

Señor Farjas to Lieutenant Llamedo.

MAPIMI, *August 3, 1895.*

On arrival 181 at Rasas to-day 125 went to take train at San Pedro Station, company paying passage; 56 remained and pleased to do so. Those who first ran away carried gratis by International Railroad Company. Some sick in Torreon; not being within company jurisdiction, have not done anything.

[Inclosure 9 in No. 44.]

Mr. Butler to Mr. Llamedo.

LEGATION OF THE UNITED STATES,
Mexico, August 3, 1895.

DEAR SIR: This evening I received your courteous letter of to-day, giving this legation interesting facts about the negro settlement at Tlahualilo. I have to-day sent copy of your letter to my Government, which will appreciate the steps you have taken for relief of these unfortunate Americans.

With highest regard, very truly, yours,

E. C. BUTLER.

Mr. Adee to Mr. McCaughan.

No. 34.] DEPARTMENT OF STATE,
Washington, August 10, 1895.

SIR: The Department has received your dispatch, No. 57, July 27, relative to the arrival at Torreon of certain colonists on their way to this country. The Department approves the measures taken for the relief of the colonists, and you are instructed to inform the consular agent at Torreon that the account of the assistance and relief furnished by him has been received with gratification.

* * * * * * *

I am, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

Mr. Simmons to Mr. Uhl.

No. 89.] CONSULATE OF THE UNITED STATES,
Piedras Negras, August 24, 1895. (Received September 3.)

SIR: I have the honor to inform the Department that on or about the 11th instant the local authorities, under instructions from the governor of the State, at Torreon, took charge of the keeping and caring for the negro colonists in that city, and that on the departure of said negroes they were fumigated before transportation to Eagle Pass on the cars of the International Railroad Company.

I have further to report that on the 17th instant there arrived here from that city twenty-four negroes, and on the 21st instant twenty-three others, completing the entire number of negroes at Torreon. As far as this consulate can learn, all the negroes who left the colony at Tlahuilo have arrived at Eagle Pass, the greater number of whom are held in quarantine. So far, no cases of smallpox have developed outside of the colonists that we have heard of, and no further trouble is anticipated.

I am, etc.,

S. M. SIMMONS,
United States Vice-Consul.

Mr. Sparks to Mr. Uhl.

[Telegram.]

EAGLE PASS, TEX., *September 16, 1895.*
(Received September 16.)

Over one hundred negro colonists, mostly widows and orphans, discharged from smallpox camp and ready to be sent home (Tuscaloosa, Ala.). Railroad companies decline to transport them unless the Government will guarantée payment for transportation. I think the shortest road out of this trouble is to send these negroes home as fast as discharged from Camp Jenner. Only about forty or fifty men left; balance, widows and orphans. Please instruct me what to do.

J. W. SPARKS,
United States Consul.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 17, 1895.

Can not guarantee transportation, but will recommend Congressional repayment. See Adee's telegram of July 26. Inquire lowest price for which company would transport negroes now remaining.

Mr. Sparks to Mr. Uhl.

No. 92.] CONSULATE OF THE UNITED STATES,
Piedras Negras, September 18, 1895. (Received September 26.)

SIR: I have the honor to report, relative to the negro colonists that are here awaiting transportation to their homes, that I gave the railways copies of the telegram sent me by Acting Secretary of State Adee, dated July 26, 1895, and at first it seemed to be satisfactory to these railways. But when the time arrived to start these negroes home the Southern Pacific declined to take the negroes to New Orleans, the end of its line, unless some arrangements were made with other railways to take these negroes beyond New Orleans, which the Southern Pacific informs me other railways decline to do, unless payment for their transportation is guaranteed by the Government. The officers of the Southern Pacific informs me that the authorities of the city of New Orleans will not permit railway companies to carry to the city and dump down there indigent people, and for this reason the Southern Pacific declines to transport these negroes to New Orleans unless some arrangements are made with other railway companies to take them on from New Orleans to their destination.

The Southern Pacific is willing to transport these negroes to the end of her road and risk Congress making an appropriation for the payment of their transportation, provided they can be sent on from New Orleans to their homes.

Many planters have written here that they will take all able-bodied negroes, and pay their transportation to their plantations in Texas and give them work at good wages, but the trouble is there are very few able-bodied negroes among them. The large majority of them are sickly women and orphan children, and these planters do not want them, and the negro men do not want to be separated from the women and children, as many of them are related in various ways. The majority of these negroes are widows and orphans, and I firmly believe that the shortest road out of all this trouble is to send these people to their homes or Tuscaloosa, Ala., the point from where they started. But of course I shall obey all instructions from the Department.

The good people of Austin, San Antonio, Houston, and Galveston, Tex., both white and colored, sent me plenty of clothing for these unfortunate people, which I turned over to Dr. Magruder, of the Marine Hospital Service, for distribution among them, so that when they are ready to start home they will have plenty of clothing for the trip and enough to serve them for some time.

There are not more than forty men among them. The balance are women and children, and many of them small children. I received yesterday the telegram of the Honorable Secretary of State, Mr. Richard Olney, and shall communicate its contents to the railway companies and make another effort to get these negroes home.

I have, etc.

JESSE W. SPARKS, *United States Consul.*

Mr. Sparks to Mr. Uhl.

[Telegram.]

PIEDRAS NEGRAS, *September 19, 1895.*
(Received September 19.)

While railways decline to transport negro colonists to their homes, can not Dr. Magruder, of the Marine Hospital Service, be instructed to issue them rations? They will suffer unless something of this kind is done.

Mr. Ellis to Mr. Olney.

EAGLE PASS, TEX., *September 19, 1895.*
(Received September 20.)

If you doubt our justice or responsibility to carry out contract with refugees, wire Crane, Sayers, Culberson, or ask Roberts in Treasury Department. These negroes should not be objects of political sympathy when every one of them can work.

Mr. Ellis to Mr. Olney.

EAGLE PASS, TEX., *September 19, 1895.*
(Received September 19.)

I came here; offered negro refugees from Mexico work at remunerative wages. Have offered to advance transportation. They refuse, contending Government should pay their transportation to Alabama. Please advise consul.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 19, 1895.

Ellis telegraphs he has offered fugitives remunerative work and to advance transportation, but they refuse, contending Government should pay transportation. Is this statement correct? It would seem that parties able to work and offered work ought not to ask charity from Government.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *September 19, 1895.* (Received September 19.)

Ellis and I have just left negro camp. Ellis offers to pay transportation of negroes to his plantation, 30 miles from Houston. Transportation to be charged to negroes, and pay fair wages to all who can or will work; but negroes insist upon being sent home, as many are widows and orphans. Rations are all gone.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 20, 1895.

Telegraph number of negroes, specifying working men, working women, and nonworkers, women and children. Also estimate cost of transportation to homes in Alabama, as asked in telegram of 17th.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *September 20, 1895.* (Received September 20.)

Three hundred and eighty-five negroes; 190 in Camp Jenner, 195 released; 40 men able to work, 30 women able to work; all the balance, women and children, unable to work. Transportation 1 cent a mile for all over 5 years old; all under 5 transported free. The negroes turned loose from the smallpox camp have only two days' rations. They will have to starve after that unless Dr. Magruder is authorized to issue them rations. Please have him authorized to issue rations. The shortest road out of this trouble is to send these negroes home at once. I am on the ground, and believe this is the best.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *September 21, 1895.* (Received September 21.)

I issued the last rations given me by charitable people to the negroes yesterday; will last two days. They are bound to starve unless the Government comes to their relief. For God's sake help me.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 21, 1895.

Arrange immediately, if possible, with railroads, by contract, to transport all the negro refugees to their homes in Alabama, on the assurance of this Department, which is also the assurance of the President, that Congress will be urgently recommended to vote repayment. The Department thinks the railroads ought not to assume and will not assume the serious responsibility of refusing this arrangement. If, however, they do refuse, notwithstanding all your efforts, then telegraph at once the lowest lump sum for which the railroads will contract to transport them, that the Department may ascertain whether there is any mode not now known by which the cash can be raised. Answer earliest possible moment.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *September 21, 1895.* (Received September 21.)

Your telegram of this date received. I am in correspondence with railroads; will inform you result soon as I learn. To-morrow being Sunday I may not know before Monday the result. In the meantime please have Dr. Magruder to furnish me rations for the negroes; they will have nothing to eat after to-morrow.

Mr. Sparks to Mr. Olney.

[Telegram.]

PIEDRAS NEGRAS, *September 21, 1895.*
(Received September 21.)

Southern Pacific Railroad will transport negroes as indicated in your telegram; other roads out of New Orleans refuse so far.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 22, 1895.

War Department will issue 1,500 rations, to be immediately sent you from San Antonio. Economize them carefully.

ADEE, *Second Assistant.*

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 23, 1895.

Let negroes start at once. If railroads out of New Orleans refuse to contract like Southern Pacific, wire lowest amount of money they will take and it will be supplied.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, TEX., *September 25, 1895.*
(Received September 25.)

Southern Pacific hanging fire as to rates. Wants now 3 cents a mile. All ready otherwise to move the negroes. The Louisville and Nashville offers to haul them at 1 cent per mile. Will notify you if Southern Pacific comes to terms.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 25, 1895.

Delay is expensive. Make best terms practicable and move negroes at once.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *September 25, 1895.* (Received September 25.)

I caused Southern Pacific to come to terms of 1 cent a mile per capita. Will leave to-morrow with 200; near 172 still in camp.

Mr. Ransom to Mr. Olney.

No. 71.] LEGATION OF THE UNITED STATES,
Mexico, September 25, 1895. (Received October 2.)

SIR: I have the honor to advise you that on yesterday I sent Lieut. Charles G. Dwyer, an officer of the United States Army and military attaché of this legation, to Coahuila to investigate thoroughly the troubles which have arisen in that State between certain colored people of the United States and their employers, the Tlahualilo Colonization Company. The importance of the subject, the large number of deaths, and the sufferings of the colored people made, in my judgment, this step not only proper but necessary.

I desired to have some official record of the whole matter. As soon as Lieutenant Dwyer returns I will transmit his report.

I trust that my action will have your approval.

With very high regards, yours,

M. W. RANSOM,
Minister to Mexico.

Mr. Sparks to Mr. Olney.

[Telegram.]

C. P. DIAZ, MEX.,
September 26, 1895. (Received September 26.)

First lot of negroes, 168, shipped this morning. I went 40 miles with them. They have three days' rations.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, TEX.,
September 30, 1895. (Received September 30.)

I have telegram from Birmingham and Tuscaloosa, Ala., saying the authorities will not allow the negroes I sent there to stop; afraid of smallpox, when each negro has a health certificate from Dr. Magruder, Marine-Hospital Service. I allowed none to get on the train without a health certificate from him. The negroes have left the train and took to the woods.

Mr. Sparks to Mr. Uhl.

No. 93.] CONSULATE OF THE UNITED STATES,
Piedras Negras, October 2, 1895. (Received October 10.)

SIR: I have the honor to report for the information of the Department, relative to the negro colonists from Tlahualilo, Mexico, that the Mexican International Railway Company have transported up to date from Torreon, Mexico, 418 adults and 81 children, making in all 499 brought to Piedras Negras, Mexico, and sent across the Rio Grande. About 50 of these negroes escaped and made their way on foot and otherwise into the interior of Texas, on their way home, and have been lost sight of; the balance were put into quarantine, where 60, or about that number, have died. Most of the deaths were from smallpox, a few from old age and other diseases, and two or three from actual starvation, as Dr. Evans informs me. But the effects of their starvation took place before they reached me. They were too far gone to recuperate when they reached me, where I could feed them on rations furnished me for that purpose by the United States Government.

I have forwarded from Eagle Pass, Tex., 167 of these negroes to Alabama. They all had clean bills of health signed by Dr. Magruder of the Marine-Hospital Service. None were permitted to get on the train excepting those holding such certificates. Dr. Magruder informed me yesterday that he would release about 50 of these negroes to-day, and I have already made the necessary arrangements with the railroads to transport them at once to their homes in Alabama. I am informed that there are about 50 or 60 of these negroes still on the Tlahualilo plantation, and that they have signified their intention of remaining there until the crop is gathered and their part turned over to them.

In the San Antonio Express of September 30, 1895, W. H. Ellis has an interview purporting to have been given in Mexico City, September 28, 1895, in which he says that the United States Government is to blame for the failure of the negro colony at Tlahualilo, because the United States Government offered these negroes free transportation to their homes. I inclose that part of his interview in this dispatch, marked No. 1.

Unfortunately for Ellis and fortunately for the Government I have a copy of a letter that he wrote Mr. L. M. Johnson, general manager of the Mexican International Railway, in July, 1895, most piteously begging Mr. Johnson to transport these negroes to the line (meaning Piedras Negras), and in which letter he says 450 of these negroes left of their own accord and that his company was willing to pay the way or fare of the sick, saying heaven would bless Mr. Johnson as he (Ellis) was at that writing powerless. However, I inclose a copy of his letter to Mr. Johnson for the information of the Department, marked No. 2.

On the very date Ellis wrote this letter to Mr. Johnson, imploring him to transport these negroes to the line, July 24, 1895, Acting Secretary of State Adee telegraphed me, in reply to two telegrams from me, asking and begging for transportation and food for these negroes as follows:

> Your two telegrams received. While deeply lamenting unfortunate condition of colonists, constrained to repeat that there is no fund applicable to their maintenance or transportation.
>
> ADEE, *Acting.*

The negroes had then left the colony, according to Ellis's own statement, and I am sure up to that date the United States Government had offered no free transportation home or anywhere else, but had declined all of my importunities for transportation and food.

In fact, the United States Government declined to do anything for these negroes until it was ascertained they had smallpox among them. Then it was that the Government took charge of them, and right nobly has the Government done since by these unfortunate people.

Should the Department desire other and further information relating to these negro colonists, I will take pleasure in giving it, if the Department will only indicate upon what points such information is desired.

I will state, however, that when (and after I had made contracts to transport these negroes at 1 cent per mile per capita) I was ready to start, the Southern Pacific demanded 3 cents per mile per capita. Delay was expensive, for the Government was feeding them, but I stood my ground, and finally succeeded in carrying my point at 1 cent per mile per capita. In this one item I saved the Government over $7,000, as it would have cost the Government over $10,000 to have transported all these negroes to New Orleans. I mention this only to show that I am looking after the interests of my Government while performing a humane duty.

I have, etc.,

JESSE W. SPARKS,
United States Consul.

[Inclosure 1 in No. 93.]

Clipping from San Antonio Express of September 30, 1895.

Ellis, known on account of his efforts to introduce negro colonists to this country, blames the United States Government for ill success of Tlahualilo experiment. He says that if the Government had not furnished free transportation back to the United States the negro colonists would have remained, and when once accustomed to the country would have been contented. He has not abandoned his colonization schemes, but will shortly leave for the United States to bring more of his countrymen to Mexico.

[Inclosure 2 in No. 93.]

Mr. Ellis to Mr. Johnson.

TLAHUALILO, DURANGO, MEXICO, *July —, 1895.*

MY DEAR SIR AND FRIEND: It is a very painful thing for me to write you this note, but for the sake of humanity I am compelled to do it, by informing you that a few days ago about 450 colonists, including men, women, and children, left here principally on foot for Mapimi Station. Someone told them there were a free train for them, and I am informed they are there now. They left here of their own accord. The company will arrange to pay the sick people's fare off. Aside from business I ask you if there is anything you can do to help these poor people to the line. Heaven alone will bless you. At this writing I am powerless. They broke the contract with me by leaving, though they say they have reasons. I assure you I have acted honest in every respect, though a victim of circumstances I am.

I write this as a personal letter.

I am your most obedient servant, W. H. ELLIS.

P. S.—I send this to San Pedro to be mailed by the kindness of one of your engineers, who leaves to-day for S. P. Answer here.

Your servant, ELLIS.

NOTE.—Above letter was received at general manager's office, C. P. Diaz, on July 26, 1895.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *October 4, 1895.* (Received October 4.)

I sent home to Alabama 37 negro colonists this morning.

Mr. Johnson to Mr. Olney.

MEXICAN INTERNATIONAL RAILROAD CO.,
Ciudad Porfirio Diaz, Mexico, October 4, 1895. (Received October 10.)

SIR: Please find herewith bill in triplicate of this company against the Government of the United States for $2,751 Mexican money, which at the present rate of exchange, 53¼, is equal to $1,464.91 United States currency, for transportation of certain American negro colonists from the interior of Mexico to the frontier, in conformity with requests from the United States consul here and telegrams to him from you of July 26 and September 21 last.

Your attention is especially solicited to this bill with petition that it be ordered paid in due course. The rates charged are extremely low, amounting to eight-tenths cent per mile American money, which is about one-half of our regular third-class rates, which are being daily collected for transportation of others—the second-class rate being 50 per cent higher than the regular third-class rate, and the first-class rate being double the regular third-class rate.

The foregoing special rate was put in effect while it was thought possible that the colonists might, in some way, find means to pay for their own transportation. They were moved finally without collection of charges, on the above authority, when it became evident that otherwise they would perish or resort to violence and robbery.

Yours, truly,

L. M. JOHNSON,
General Manager.

[Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 26, 1895.

SPARKS, *Consul, Piedras Negras, via Eagle Pass:*

War Department will ship 1,500 rations to you from San Antonio, Tex., and if return to colony is not practicable or consistent with humane considerations, assure Railroad Company that payment for transportation of sufferers to their homes will be strongly recommended to next Congress and probably allowed. If such assurance will not accomplish the purpose, wire this Department. State number needing aid.

ADEE, *Acting.*

On the strength of the assurance given in the telegram quoted above, there were transported by the Mexican International Railroad Company, from Torreón, Mexico, to Eagle Pass, Tex., a distance of 385 miles, between the dates of July 26 and September 28, 1895, various parties of American negroes who had reached Torreón from the Tlahualilo colony near Mapimí, Durango, in a sick and destitute condition, the aggregate number of individuals composing the said parties and the charges for transportation being as stated below.

[Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., September 21, 1895.

SPARKS, *Consul, Piedras Negras, via Eagle Pass:*

Arrange immediately, if possible, with railroads by contract to transport all the negro refugees to their homes in Alabama on the assurance of this Department, which is also the assurance of the President, that Congress will be urgently recommended to vote repayment. The Department thinks the railroads ought not assume and will not assume the serious responsibility of refusing this arrangement. If, however, they do refuse notwithstanding all your efforts, then telegraph at once the lowest lump sum for which the railroads will contract to transport them, that the Department may ascertain whether there is any mode not now known by which the cash can be raised. Answer earliest possible moment.

OLNEY.

Bill is therefore rendered for the transportation furnished, as follows:

	Mexican.
418 adults, at $6 Mexican money each	$2,508.00
81 children, at $3 Mexican money each	243.00
Total, Mexican coin	2,751.00
Exchanged at 53¼ equals in United States currency	1,464.91

CIUDAD PORFIRIO DIAZ, COAH., MEXICO, *October 2, 1895.*

J. E. DENNISON, *Auditor.*

CONSULATE OF THE UNITED STATES,
Piedras Negras, October 4, 1895.

This statement rendered by the Mexican International Railroad Company is correct and in accord with an agreement I had with said company for the transportation of the negro colonists under instructions from the Honorable Secretary of State at Washington, and is hereby approved.

[SEAL.]

JESSE W. SPARKS,
United States Consul.

Mr. Sparks to Mr. Uhl.

CONSULATE OF THE UNITED STATES,

No. 94.] *Piedras Negras, October 9, 1895.* (Received October 16.)

SIR: I have the honor to inclose herewith copies of telegrams received by me from Louisville and Nashville Railway officials, S. R. Knott, vice-president, marked No. 1, and from S. F. B. Morse, general passenger agent of the Galveston, Harrisburg and San Antonio Railway, or otherwise Southern Pacific, marked No. 2. In these telegrams they agree to transport the negro colonists over their respective lines at the rate of 1 cent per mile per capita.

I also inclose, for the information of the Department, copies of two requests made by me upon the Southern Pacific Railway, and the Louisville and Nashville Railway, marked No. 3 and No. 4.

I have up to this date shipped 204 of these negroes and will ship another lot to-morrow or next day, probably 50 in this lot.

Dr. Magruder has informed me that he will turn out of the smallpox camp to-day or to-morrow 50, or about that number. I have the arrangements made to ship them at once, as I must economize the rations I have to keep the poor things from starving. I will be the happiest man in all America when all of these negroes are gone from here.

I have, etc.,

JESSE W. SPARKS,
United States Consul.

[Inclosure 1 in No. 94—Telegram.]

Mr. Knott to Mr. Sparks.

LOUISVILLE, KY., *September 23, 1895.*

Your message yesterday to President Smith, our information is that negroes referred to desire to go to Birmingham, not Tuscaloosa. We are in negotiation with large contractors at Birmingham looking for labor. It may be they can avail themselves to all or at least a part of the number as laborers. In meanwhile we have said to General Passenger Morse of Southern Pacific we will join him in arrangement requested by Secretary of State in moving negroes from Eagle Pass to Birmingham at 1 cent per mile per capita, depending on the Government for payment after appropriation is secured.

S. R. KNOTT, *Vice-President.*

[Inclosure 2 in No. 94.—Telegram.]

Mr. Morse to Mr. Sparks.

NEW ORLEANS, *September 25, 1895.*

Our Houston office instructed to make arrangements for movement of negroes from Eagle Pass. Southern Pacific will handle them to New Orleans on same basis as Louisville and Nashville, Birmingham, one cent per mile per capita. Am advised by Houston office necessary equipment will arrive at Eagle Pass to-day.

S. F. B. MORSE.

[Inclosure 3 in No. 94.]

Mr. Sparks to Mr. Parks.

PIEDRAS NEGRAS, *October —, 1895.*

DEAR SIR: In compliance with instructions from the Hon. Richard Olney, Secretary of State for the United States of America, I request that your railway company transport the negro colonists—the number that is ready for transportation—from Eagle Pass, Tex., to New Orleans, La., at the rate of 1 cent per mile per capita.

I am authorized to say that Congress at its next session will be urgently requested and recommended by the President and Secretary of State to make an appropriation for the payment of the transportation of these negroes to their homes, at the rate of 1 cent per mile per capita, and I will audit and approve the accounts of your company for such transportation when presented to me and found correct.

JESSE W. SPARKS,
United States Consul.

[Inclosure 4 in No. 94.]

Mr. Sparks to Mr. Atmone.

CONSULATE OF THE UNITED STATES,
Piedras Negras, October —, 1895.

DEAR SIR: In compliance with instructions from the Hon. Richard Olney, Secretary of State for the United States of America, I request that your railway company transport the negro colonists (the number —— to be turned over to your company at New Orleans, La., by the Southern Pacific Railway Company) from New Orleans to Birmingham and Tuscaloosa, Ala., at the rate of 1 cent per mile per capita.

I am authorized to say that Congress at its next session will be urgently requested and recommended by the President and Secretary of State to make an appropriation for the payment of transportation of these negroes to their homes, at the rate of 1 cent per mile per capita, and I will audit and approve the accounts of your company when presented to me and found correct.

JESSE W. SPARKS,
United States Consul.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, TEX., *October 10, 1895.* (Received October 10.)

I shipped 52 more negro colonists this morning, making 256 to date.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, *October 13, 1895.* (Received October 14.)

I received the following telegram this morning:

Advise Consul J. W. Sparks that we have notice from Louisville and Nashville Railway of action of mayor of Birmingham, who proposes to prevent the party of negroes now en route from coming into the city, notwithstanding each negro has a clean bill of health signed by Dr. Magruder, of the Marine Hospital Service, and he threatens Louisville and Nashville with quarantine. Suggest to Consul Sparks the propriety of informing the United States Government of this difficulty before shipping another lot of negroes from Eagle Pass. Until further orders, furnish no more transportation.

L. I. PARKS, *Agent Southern Pacific.*

Every one of these negroes has a clean bill of health signed by Dr. Magruder. No one permitted to get on the train without it. The action of this mayor is certainly arbitrary. I am ready to make another shipment. Advise what I shall do.

Mr. Olney to Mr. Harmon.

DEPARTMENT OF STATE,
Washington, October 14, 1895.

SIR: Inclosed please find copy of telegram just received from J. W. Sparks, United States consul at Eagle Pass.

It ought to be said, perhaps, in explanation, that the telegram relates to a large number of negroes who were induced to go to Mexico, for the purpose of forming a colony there, by promises and inducements which proved to be illusory, who, having arrived there, found themselves in utter destitution and unable to get away, and after awhile became the victims of smallpox, among other diseases. The President, actuated by motives of humanity, undertook to relieve the colonists, partly by furnishing rations through the War Department and partly by arranging for the transportation of the negroes back to their homes through the State Department. It was supposed that the final arrangement to dispatch them to their homes had been made through the consul, and that no further expense or trouble would be incurred; but if the mayor of Birmingham interrupts the transit in the manner suggested by the telegram, it is plain that the United States will still have the unfortunate negroes on its hands.

The Secretary of the Navy, to whom I applied on the subject, thinking he might know the mayor of Birmingham, is not acquainted with him. He suggested, and perhaps it is the best thing to be done, that I ask you to telegraph the district attorney at Birmingham to see the mayor, ascertain what he really proposed to do, state the difficulties in which his proposed step will involve the United States, and prevail on him to desist from it if he can consistently with the performance of his public duties.

I shall be glad to have you act upon this suggestion, if you think favorably of it, the earliest practicable moment, and to be informed of the result of the district attorney's intervention.

Respectfully, yours, RICHARD OLNEY.

Mr. Sparks to Mr. Uhl.

No. 95.] CONSULATE OF THE UNITED STATES,
Piedras Negras, October 15, 1895. (Received October 24.)

SIR: I have the honor to inclose herewith, for the information of the Department, a lengthy statement made by W. H. Ellis, the negro emigration agent.

This statement is published in the San Antonio Express of October 14, 1895. From this statement it will be seen that Ellis is still claiming that the failure of his negro colonization scheme was caused by the United States Government offering free transportation to these negroes to their homes, when, if the negroes comprising this colony are to be believed—not one, but all that I have talked with—the failure was caused by Ellis's cruel and inhuman treatment toward these negroes, and his infernal rascality and villainy in his everyday intercourse with these deluded people, if what they tell me is true, and they all tell virtually the same story.

To Ellis, in my opinion, can be traced the beginning of all this trouble, and not the United States Government offering them free transportation. But for Ellis and his doings the United States Government would not have been put to the enormous expense of maintaining the smallpox quarantine camp near Eagle Pass, Tex., since last July up to date, and but for him and his doings the United States Government would not have been put in the attitude of requesting railroad companies to transport these negroes back to their homes where they can get employment and make a living.

In all the dispatches I received from the honorable Secretary of State free transportation was positively denied to these negroes, notwithstanding I was begging for it; not because I thought it was the duty of the Government to furnish them transportation home, but, on the other hand, I was satisfied the Government was under no obligation to do anything of the kind. I begged for this transportation for humane reasons alone. The United States Government did not offer these negroes transportation until many days after they had left the colony and were several hundred miles from the colony on their way, footing it, to the United States, naked and starving; and transportation was given them then, as I imagine, out of humane considerations entirely and not that these negroes had any valid claims upon the United States Government for such transportation.

Ellis says in this statement that his company paid the way of the good colonists to the United States, those that wanted to return, and that he returned two car loads of them at his company's expense to the United States. Now, the above statements are deliberate falsehoods, as will be shown by a letter herein inclosed from Mr. L. M. Johnson, general manager of the Mexican International Railroad, the railroad over which these negroes have all passed, and Mr. Johnson is a truthful gentleman.

This letter of Mr. Johnson is in answer to one I wrote him, a copy of which is also inclosed.

Mr. Johnson shows that neither Ellis, the company he represents, the Hezadora Limitado Tlahualilo Company, or any one else, has paid his railroad company transportation for any of these negroes, but that he transported them at my request, trusting to Congress to make an appropriation to pay for this transportation in the near future.

So it appears that Ellis is not only a tyrannical and hard man to have power over others, but that he is telling the most brazen falsehoods in order to palliate his own misdeeds and saddle a part of them upon the United States Government by such misrepresentations. Ellis nor his company have contributed one dollar for the maintenance or transportation of these negro colonists since they revolted and left the colony some time in the latter part of July last.

I have, etc.,

JESSE W. SPARKS, *United States Consul.*

Mr. Sparks to Mr. Johnson.

CONSULATE OF THE UNITED STATES,
Piedras Negras, October 15, 1895.

DEAR SIR: In the San Antonio Express of October 15, 1895, appears a lengthy statement made by W. H. Ellis, the negro who brought the Tlahualilo colonists to Mexico last February, in which statement appears the following:

"The company [meaning his company] paid the way of the good colonists back to the United States, of those wishing to return. During the grand rush of the colonists to secure free transportation the honest ones, who had their own interest at heart and wanted to stay, stayed, but after the deadly enemy, smallpox, continued

to reign supreme some of them, too, became frightened to death and dissatisfied, so I returned two car loads of them, at the company's expense, back to the United States."

Please state if Ellis, or the company he represents, the Hezadora Limitado Tlahualilo Company, the president of which company is Don Juan Llameda, ever paid the Mexican International Railroad Company, of which you are general manager, the transportation for two car loads of these negro colonists to the United States; or has Ellis or his company, or any one for them, paid your railroad company any amount or sum for the transportation of any of these negroes? By answering the above you will greatly oblige.

Your obedient servant,

JESSE W. SPARKS,
United States Consul.

Mr. Johnson to Mr. Sparks.

INTERNATIONAL MEXICAN RAILWAY COMPANY,
Ciudad Porfirio Diaz, Mexico, October 15, 1895.

DEAR SIR: Replying to your favor of this date.

Please find herewith letter from the auditor of this company stating definitely that the Mexican International Railroad Company has not received from Mr. Ellis or from any other source any pay for transportation of the negro colonists from Tlahualilo returning to the United States, for the transportation of whom a bill was recently rendered to the Department of State.

I beg to fully confirm the letter from Mr. Dennison, and I am very much surprised that Mr. Ellis, after his piteous appeal for assistance, should make such statements as have recently appeared in print relative to the transportation of the distressed colonists returning home.

Yours, truly,

L. M. JOHNSON, *General Manager.*

Mr. Harmon to Mr. Olney.

DEPARTMENT OF JUSTICE,
Washington, D. C., October 16, 1895. (Received October 16.)

SIR: I have the honor to inclose copies of three dispatches from the United States attorney at Birmingham, Ala., all of which arrived this morning.

Very respectfully,

JUDSON HARMON,
Attorney-General.

Mr. O'Neal to Mr. Harmon.

[Telegram.]

HUNTSVILLE, ALA., *October 15, 1895.*

Myself and assistant, who are here attending United States court, have just received your telegrams by mail from Birmingham. Have wired mayor and will wire his answer.

EMMETT O'NEAL, *United States Attorney.*

Mr. O'Neal to the Attorney-General.

HUNTSVILLE, ALA., *October 16, 1895.*

Telegram from superintendent Louisville and Nashville at Birmingham says the trouble with the negroes from Eagle Pass is when they reach Birmingham no provision is made for them to continue their journey to their homes in other parts of the State, and Mayor Vanhoose objects to them being dumped on the town without some arrangements being made to get them to their homes.

EMMETT O'NEAL, *United States Attorney.*

Mr. O'Neal to Mr. Harmon.

HUNTSVILLE, ALA., *October 16, 1895.*

Mayor of Birmingham says he has not at any time endeavored to prevent negro passengers from Mexico from passing through city. He says he objects to railroad dumping them in the city without transportation being provided to their homes. Says city has already cared for numbers of them and provided transportation to their homes in Tuscaloosa and Greene counties.

EMMETT O'NEAL, *United States Attorney.*

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, October 16, 1895.

SPARKS,
United States Consul, Piedras Negras, Mexico:

Mayor of Birmingham wires that he does not object to negro passengers from Mexico passing through the city, but to their being dumped in the city without transportation being provided to their homes.

OLNEY.

Mr. Sparks to Mr. Olney.

[Telegram.]

EAGLE PASS, TEX., *October 17, 1895.* (Received October 17.)

I have not dumped negroes in Birmingham. Many of them lived there. Will ship in two days all.

Mr. Harmon to Mr. Olney.

DEPARTMENT OF JUSTICE,
Washington, D. C., October 18, 1895. (Received October 18.)

SIR: I have the honor to transmit herewith a copy of a dispatch just received in the matter of the negro colonists and the mayor of Birmingham.

Very respectfully,

JUDSON HARMON,
Attorney-General.

[Inclosure.]

HUNTSVILLE, ALA., 18. (Received October 18, 12.10 p. m.)

The ATTORNEY-GENERAL, *Washington, D. C.:*

I received late yesterday evening the following: "Am informed that more negro colonists will be brought here from Eagle Pass. This city has never and does not now object to their passing through to their proper homes, but does object to their being dumped here and becoming a charge on our charity for shelter, food, and transportation. Please notify Attorney-General Harmon immediately and urge that transportation be provided all the way through to their proper homes. Advise me of his decision.

"J. A. VARHOOSE, *Mayor.*"

EMMETT O'NEAL, *United States Attorney.*

Mr. Sparks to Mr. Olney.

EAGLE PASS, TEX., *October 22, 1895.* (Received October 22.)

I shipped this morning 69 negro colonists. This is all excepting 5 that were too sick to travel. This ends the Tlahualilo negro colonists transportation excepting the 5 mentioned.

Mr. Sparks to Mr. Adee.

[Telegram.]

EAGLE PASS, *October 24, 1895.* (Received October 24.)

L. M. Johnson, general manager of M. I. Railway, Southern Pacific and Louisville and Nashville railways, all agreed to await the action of Congress. I have their letters to that effect and will send copies with my reports.

Mr. Ransom to Mr. Olney.

No. 78.] LEGATION OF THE UNITED STATES,
Mexico, October 24, 1895. (Received October 30.)

SIR: I have the honor to inclose herewith the report of Lieut. C. G. Dwyer, of the United States Army, upon the colored colonists from the United States located at Tlahualilo, State of Durango, Mexico.

I thought it best that the Department should be in possession of the facts relative to these colonists, as gained from the personal observation and accurate inquiry of an officer of the Government.

I have, etc.,

M. W. RANSOM,
Minister to Mexico.

[Inclosure 1 in No. 78.]

MR. DWYER'S REPORT.

LEGATION OF THE UNITED STATES,
City of Mexico, October 3, 1895.

SIR: I have the honor to submit the following report on the negro colonists located at Tlahualilo, State of Durango, Mexico.

Your verbal instructions were to examine and report upon the matter without regard to anyone's personal interests.

The following inclosures are attached:

1. The contract between W. H. Ellis and the Tlahualilo Company.
2. The contract between W. H. Ellis and the negro colonists.
3. The circular issued by Mr. Ellis's Colonization Company to the negroes before starting for Mexico.
4. Two lists showing the arrivals, by name, as reported by Mr. Ellis, on February 6 and February 25, 1895.
5. The report of the doctor of the Tlahualilo Company as to the causes and progress of the sickness among the colonists.
6. Lists of deaths at Eagle Pass.

You should soon receive the following information upon this subject:

1. The report of the United States consul at Torreon, Mexico, giving also a list of those dying near Torreon.
2. Report of Mr. W. A. Fitch, collector of customs at Eagle Pass.
4. Report of Dr. G. M. McGruder, Maine Hospital surgeon, in charge of the United States quarantine camp of the negroes at Eagle Pass.
5. Letter from Dr. A. H. Evans, State health officer at Eagle Pass.
6. Report and interview of Dr. H. J. Trollingen, of San Antonio, Tex., who visited the colony professionally.
6½. A list from the civil register at Tlahualilo, showing the names of those dying there, with causes of death.
7. A letter from Mr. L. M. Johnson, general manager Mexican International Railroad.
8. Possibly a report of the examination made by the Mexican court at Lerdo.
9. A letter from Mr. Juan Llamado, president of the Tlahualilo Company, explaining the trouble, is in your possession.

Mr. Ellis has prepared his statement, but has not yet given it out.

History of the colonists.

On February 6, 1895, 198 negroes arrived at the hacienda and on February 25 about 618 arrived; total, about 816. Mr. Ellis's estimate is 825 and the company's 786. About 70 died at the hacienda (some estimate deaths there at 90), 60 died at Eagle Pass, 10 at Torreon, and about 8 between Torreon and Eagle Pass; total deaths, 148 (about); 60 remain at Tlahualilo, 514 are reported as crossing back to Texas, only 407, however, being received in quarantine. Thus more than 250 are not definitely accounted for, but are probably scattered.

The cost to the United States Government will be about $15,000 for the quarantine camp, $600 for army rations, and if it pays the railroads about $5,900 for return transportation.

The contract, usually unsigned, was substantially the same for these colonists as is made in the Southern States—i. e., they were to receive one-half the crop. Their treatment—food, houses, medical attendance—were like the same for the Mexican farm laborer, but not as good as is received in their own States. Particulars of this are given later.

After the 34 families arrived, on February 6, Mr. Ellis asked to bring about 100 families more, and the reply was, "Yes, provided 100 good workmen come." About 145 families arrived in the two shipments. Within about three weeks 109 houses were furnished them. Some estimate that only 89 houses were provided.

At first the colonists worked in a manner not very satisfactory to the company, but nearly or about as well as the average Southern negro, who is not a really hard-working man.

The manager of the Tlahualilo Company is a reliable man. He says that 80 to 90 usually went to the field daily, and never more than 120 at once. The manager and Mr. Ellis say that about one-fourth were bad workmen.

During this period of several months the rations were advanced in quantities thought by the company to be sufficient, and actually they fulfilled the requirements of the contract. These rations consisted of beef, corn meal poorly ground in a cotton-seed-oil mill, beans or peas, coffee, sugar, and a little lard. The cooking utensils were nearly all of Mexican pottery.

The men found the food unsatisfactory at this time. They complained of being worked together, at first, instead of each having his own land. They also complained that the hoes were heavy for the women, and that the plows were not up to the requirements. The complaints in reference to the food and hoes were more reasonable than the others, which were not.

Some men were put in the temporary jail by Mr. Ellis, without authority of law and without consulting the judge. Mr. Ellis thinks the circumstances justified his actions. The land was not free from obstacles; but a great part was, on the other hand, already planted for them.

The gardens were not furnished, but this was not insisted on by the colonists. Some few gardens planted in the crops were ordered to be torn up. A few of the negroes left the hacienda every few days or weeks. On April 8 a disease called by the resident physician a disease of the liver attacked them, causing a swelling in the feet and legs, stopping the menstruation of the women from 15 to 35 years of age and causing seven-eighths of the deaths on the farm, 23 deaths being of children, who also suffered from gastric enteritis of a catarrhal form.

About July 1 the smallpox attacked them. Nine died of this disease at the hacienda. About this time Dr. H. J. Trollinger arrived from San Antonio, and advised all to leave as the only remedy. He remained about about two days.

Those who died were buried in coffins.

The doctor of the hacienda, who is also the apothecary, has, alone, the medical work of the 6,000 to 7,000 people. He did all that he could, and says that the negroes did not follow his instructions. He does not speak English and did not have the confidence of the negroes. He is a graduate of one of the Spanish universities, but did not understand the negroes and probably not the disease, and he is probably mistaken in saying they ate too much grease.

The church was used as a pesthouse.

The rains were more than usual this year and the colonists were in houses that leaked. There was snow at the hacienda when they arrived and colder weather than usual in Alabama, it is said, before they left.

During the month of June the system was adopted of giving an advance of 50 cents in Mexican money a day to each man, woman, and child who worked, and the other system was abandoned. In some cases only 37 cents was given on account of unsatisfactory work.

Joe Caldwell claims that two of his grandchildren died from starvation; the company insists that those who worked had enough to eat. It should be remembered that the company had no contract with the colonists, but only with Mr. Ellis. There were more old men and children than were provided for in the contract.

For the diseases of the liver the treatment was: Tonics, one form of mercury, poultices of cantharides, and quinine.

For smallpox: Tonics, quinine, poultices of linseed, and some ammonia. The manager sent word to have the water boiled for drinking, but this seems to have been misunderstood, and when used seems to have given no good results. Bacon and flour were furnished during part of the sickness.

On July 19 about 125 negroes were at Mapimi Station, leaving the hacienda. They increased to 200 in a few days. Their stay in Torreon and Eagle Pass is described in the consul's report. After August 3 the Tlahualilo Company gave a standing offer to transport to Eagle Pass, Tex., all who wished to go; 150 left under this offer.

The company has a new contract with the 16 or 17 families there now, and consider the contract with Mr. Ellis annulled. Mexican laborers were put on the crops abandoned by the negroes. The crops were seen by me September 26. They are much above the crops of the average Southern States, and with plenty of irrigation the land would produce nearly a bale of cotton to the acre.

There are between 4,000 and 5,000 acres in cotton, and about 1,000 acres in corn. The cotton has to be replanted only every fourth or fifth year. Two crops of corn can be raised on the same ground one year by using the proper seed; but this is not usually done.

The cotton of the negroes is considered by the manager as good as the other cotton. Their corn he considers inferior. He estimates the cotton, when gathered, will amount to $50,000, and the corn $5,000, the amount spent and to be spent on the crops by the company at $62,000, making a loss to the company of $7,000. With Mexican labor, he thinks the company would have spent only $35,000 for the crop of $55,000. The company is not satisfied with the negro colony, and does not want more.

Mr. Ellis's estimate of the crop is more. The colonists sold some of their beef, also the following tools of the company: 300 hoes, 120 shovels, 178 sacks, and some harness.

Those now at Tlahualilo are not contented, but prefer to remain on account of their crops. Probably many will leave when they finish this year's work. Those at Eagle Pass are sent home as soon as they recover or fulfill the quarantine regulations.

Description of water, houses, and climate.

There are 109 houses, built of adobe (sun-dried brick); each house has two rooms, one 14 by 14, the other 14 by 16, about 12 feet high; one room has a door, the other a window, opening on a large court, and the two rooms are connected by a door; both rooms have fireplaces, and some houses had an extra window improvised. All the doors and windows are without the means of closing; the floors are of natural earth; the roof has four pieces, 2 by 4, on top of these wooden poles 1 or 2 inches thick; on these a few weeds, and then about 2 inches of dirt; the slope of the roof is gentle, and the houses leaked heavily. This is expected, however, in the Mexican farm laborer's house. On the whole the houses were better than the ordinary house for the Mexican farm laborer, and the rain was more than usual this year.

No accurate record of rainfall and temperature can be obtained, but the thermometer ranges from 25° F. to 104° F. The altitude is 4,000 feet above sea level; the land is dry, and practically a desert where there is no irrigation. There can be nothing in the climate itself to make it unhealthy. The water used until July was from the wells; it is hard but not muddy. The Mexicans use the canal water, which seems to really furnish the wells with their water. The canal water is softer, and is now used by the colonists.

Comparative treatment of the Mexicans and colonists.

Fifty per cent of the colonists' crops was to go to them, 40 per cent to the company, and 10 per cent to Mr. Ellis.

The Mexican on this farm gets two-thirds of his crop, but only one-half as much as the negroes for a pound of cotton or corn; thus, if the colonist and Mexican have each 3 anobar of cotton, the colonist gets for his one-half $1.50, and the Mexican gets for his two-thirds $1.

At first, for about three months, the food of the colonists was the same as the food for the Mexicans.

The Mexican laborers do not use mills to grind their corn, but it is ground on their individual "metate" stones; they wear only a straw hat, sandals, shirt and trousers of white cotton. They use very little meat.

The colonists were treated like the Mexicans; neither had bedsteads nor mattresses.

Prices of ordinary articles at Tlahualilo.

[Mexican money.]

Beef	per pound	$0.07½	Straw hat		$0.25–40
Corn meal	do	.02	Overalls		2.50
Coffee	do	.40–50	Shoes		2.00
Flour	do	.07	Sandals		.40–50
Bacon	do	.24	White cotton cloth:		
Lard	do	.30	For men	per yard	.06
Sugar	do	.10	For women	do	.12
Rice	do	.10			

The houses cost the company $80 each.

It is not the intention of the company to make money on the sale of articles to the laborers, and the store for the colonists is the only one that the company has any connection with. It was the property of Mr. Ellis.

Other colonists in Mexico.

There are about ten large foreign colonies in Mexico. They are doing quite well. Three hundred to four hundred people from the United States are farming in Mexico.

At present there is no important colony of negroes from the United States, except the Seminole negro-Indians, who came a number of years ago.

A few other contracts have been made for negroes, however. One, about five years ago, between General Pacheco and Mr. W. H. Ellis, who was associated then with Mr. Furgerson. Practically, the negroes did not come under this contract.

The Mexican Central Railroad Company brought 1,200 men to Tampico, a small part of whom were negroes, for construction work on the Tampico Branch; nearly all were badly selected and had to be returned to the United States. Many negroes have been brought to the coal country in Mexico from Cuba, Jamaica, and other places, who have given satisfactory work in sugar cane.

If more negro colonists are brought more care should be taken in their selection and treatment, and the cheapness of unskilled labor in Mexico should also be considered.

Your attention is called to the negro colonists who left the Southern States for Kansas, Nebraska, Indiana, and Liberia.

Conclusion.

Much has been said against Mr. Ellis by the colonists, and something has been said against the Tlahualilo Company.

There are also complaints against the negroes for not working before and after leaving the hacienda. Work was offered five times in Mexico after July 21 for two to three times the number of men, but they were partly afraid to stay in Mexico then. They did not accept the offers from the Alabama mines nor the Texas farms.

The colonists were about the average of the Southern negroes, but not good enough for colonists.

Mr. Ellis says that he has been twelve years at this place of colonization in Mexico. He was not the proper man to practically manage the colony. He certainly ought to have been informed as to the necessity of vaccination for the negroes, and it seems only fair that he should have provided better food and medical service at the beginning.

Of course all people who go as colonists to a new country expect a different food and a certain amount of rough experience.

None of the many negroes questioned at Tlahualilo and Eagle Pass complained of being denied in the Southern States their liberties, which are mentioned in the circular issued by Mr. Ellis's company. They came to make money.

During the sickness Mr. Ellis was at the hacienda and helped personally as well as he could help. The Tlahualilo Company is a very large hacienda and the negroes were not an important part with the company. This company did not act unfairly. Prosecution or other similar action by the United States seems not to be called for.

Respectfully submitted.

CHARLES G. DWYER,
First Lieutenant, Third Infantry, Military Attaché.

Report of the doctor of the Tlahualilo Company.

Francisco Modrono y Gonzales, licentiate in medicine and surgery, doctor of the Agricultural, Industrial, and Colonization Company of Tlahualilo, Limited, says:

1. That the houses assigned to these colonists are superior in hygienic condition to all others in the hacienda.

2. That the hygienic regulations as observed by these people never fulfilled the requirements of hygiene itself.

3. The topographical situation and the material of the houses, when used by these people, were in a hygienic condition.

4. The kind of food furnished was of a condition that could not be improved, blackish meat, with fats or lards; the colonists making an immoderate use of the latter, which was stopped by medical prescription.

5. The water, coming from wells and a stream, employed for domestic purposes is fit for drinking and, in the opinion of the writer, it is certain that the food and usual drink (water) had little or no influence in producing the diseases. That these people suffered from inflammation of the liver, or yellow atrophy of the liver, and smallpox in its usual forms; that the causes producing the first disease were change of climate and a wasting moral affection of the mind which these people had.

6. The second disease, smallpox, may be attributed to the predisposition of the colored race to contract this disease, and it is not strange, with the causes previously mentioned and with their little regard for hygiene (after different formal warnings and the different means employed by the company), that all should contract the disease without respect to age or sex.

7. The deaths among the colonists were after they had been treated by the means which science prescribes, medical, surgical, and pharmacological.

The development of the diseases could not be checked and there was not lacking to anyone medical assistance, food, nor the requirments of life.

I communicate the above for the necessary uses.

Zaragosa, Tlahualilo, September, 1895.

[Inclosure 2 in No. 78.]

Contract between the Agricultural, Industrial, and Colonization Company of Tlahualilo, Limited, and Mr. H. Ellis.

1. Mr. Ellis obligates himself to bring from the United States 100 colored families, practical workers in the cultivation of cotton, in good health, and in the full enjoyment of their civil rights.

2. Each family will consist of three or four people from 12 to 50 years of age.

3. The company obligates itself to pay the passage of said colonists from their homes to Tlahualilo, provided the passage does not exceed $20, American money, for each colonist.

4. The passage money of the colonists, in American money, or its equivalent in Mexican money, whose value, as has been said, shall not exceed $20, American money, for each colonist, will be collected from the colonists thus: One-half from their own part of the first crop and the other half from their part of the crop of the second year.

5. The company shall place at the disposition of Mr. Ellis the price of the passage of the colonists and shall put it in the form which Mr. Ellis may direct by telegraph.

6. Mr. Ellis shall guarantee beforehand in this city the money for passage of the colonists which, under clauses 2 and 5, is to be placed at his disposition, this money in no case to exceed $7,000, American gold.

7. The company obligates itself to furnish to the colonists. when established in its land, agricultural implements and seed, also the animals required for the work of the colonists; the company shall furnish also a comfortable dwelling house for each family, taking the necessary time for constructing the houses, which is not to exceed two months. Before the houses are in a condition to be occupied the general manager of Tlahualilo will furnish the colonists with the best lodging that is possible under the circumstances and nearest to the lands assigned to them.

8. The colonists shall have the use of the water which the company received through the canal in the proportion of their land to the lands of the company, renters and colonists, which is cultivated.

9. The colonists shall dispose of the land necessary for the erection of a church and a school.

10. The company shall furnish to the colonists provisions, such as bread, meat, beans, coffee, and sugar; also the necessary medicines, all as an advance, and their value shall be deducted from the product of the crop of the year in which said provisions and medicines are furnished.

11. The colonists obligate themselves to show and return in the manner and dates fixed by the general manager of the Tlahualilo farm all tools, agricultural implements, and animals which they receive, and shall not be responsible for injury produced by moderate and prudent use.

12. The debts of the colonists to the company, whether for provisions, medicines, or ready money advanced, or for other causes (exception being made of the passage money, whose mode of payment has been explained), will be paid to the company from their 50 per cent of the first crop, but if this should be a short crop the company, acting with prudence, will collect only a part of the debt and the rest shall belong to the following year or years, as the company may deem just in view of the shortness of the crops.

13. Mr. Ellis obligates himself that the colonists shall remain working the lands of the company until they have paid to it their respective debts, and failing in this for whatever motive, except death, Mr. Ellis shall reimburse the company for their indebtedness.

14. The colonists shall have the use of the ginning machinery which the company possesses for collective ginning. For ginning and baling the colonists shall pay the company $1.50 a bale of 500 pounds.

15. The company shall aid and protect the colonists according to Mexican laws, and shall furnish to each colonist the number of acres of land necessary for his cultivation; said land shall be in good condition for work and free from trees and every other obstacle.

16. Of the land furnished by the company the colonists can devote to the cultivation of potatoes or other vegetables, for their subsistence only, in the proportion of 5 to 60, that is, if the colonist receives 60 acres, 40 will be devoted to cotton, 15 to corn, and the remaining 5 to full planting of things necessary for his subsistence; the company shall have a share only in the crop of cotton, its seed, and the corn which the colonists shall make and gather.

17. The company, considering the necessities of the colonists during the first three months, counting from their installation, shall furnish for their subsistence $6, Mexican silver, monthly to each colonist that works. After the first three months the general manager of Tlahualilo shall fix in agreement with Mr. Ellis the aid which in money or in articles is to be given to each colonist. The amounts which in

money or merchandise are furnished to each colonist, according to this clause, will be paid to the company by the colonists from their 50 per cent of the crop of the year in which the company makes the advance.

18. The product of the crops of cotton, corn, and cotton seed will be divided as follows: 50 per cent for the colonists, 40 per cent for the company, and 10 per cent for only five years for Mr. Ellis as a remuneration for his labor, which as colonization agent he gives to the company. The company as a remuneration also shall give to Mr. Ellis 50 per cent of the passage money of the colonists, which, as previously expressed, is to be collected from the colonists from their part of the second crop of the land which they cultivate, with the understanding that the price of the passage of each colonist shall not exceed, as already expressed, the sum of $20 American money for each colonist.

19. The company shall enjoy the preference to acquire all the cotton, cotton seed, corn, and every other seed belonging to the colonists in each crop.

20. Mr. Ellis shall organize the colony, determining their appurtenances, and shall indicate to the company the persons who represent them, and arrange all the matters which concern them.

21. The implements of agriculture necessary for the colonists shall be determined by Mr. Ellis in agreement with the colonists; and the company, as expressed in a previous clause, is to furnish them.

22. Mr. Ellis may establish on the company's land one or more stores, as may be necessary for the colonists, being subject to the regulations of the company on this point.

23. The company shall give preference to Mr. Ellis for every contract for colonization which it may make in future, and in case that other colonists come to Tlahualilo, on account of or by relation with the colonists which Mr. Ellis obligates himself to establish, and if the company agrees to receive them, then Mr. Ellis shall receive 10 per cent of the crops of cotton, cotton seed, and corn produced by these colonists for five years, counting from the time that the company admits them installed.

24. The colonist can not dispose of his part of the crop of each year without a previous liquidation with the company and payment of his debts to it.

25. Mr. Ellis will arrange his contract with the colonists in such terms that they shall be obligated to fulfill the requirements of this contract and accept the stipulation referring to them.

26. Besides the recompense assigned to Mr. Ellis for his work and expenses he can claim nor require nothing else.

27. Mr. Ellis obligates himself that at the latest the 100 familes which he is to bring from the United States shall be at Tlahualilo by February 15, 1895, and in condition expressed. If by said date he has not fulfilled his obligation the company shall not be compelled to receive the colonists nor to pay their passage nor to fulfill any of the obligations imposed; but on the contrary shall have the right to require a reimbursement for the sums furnished Mr. Ellis, taking the guaranty furnished to the company by Mr. Ellis.

28. Every difference which may arise on account of this contract shall be settled by the Mexican courts, to whose jurisdiction the contracting parties expressley subject themselves, and in conformity with existing laws, renouncing in effect expressly the foreign feature of their domiciles, whatever that may in future be.

Legal forms.

Further agreement, that annually shall be liquidated the accounts by paying the quantities which each colonist may owe the company on account of ready money, provisions, and medicine advanced, and this value shall be received by the company from colonists, 50 per cent of the crop of that year, and that in a year of short crop the company, acting with prudence, shall collect only a part of the debts, and the rest from the crop of the following year. It is agreed that the colonists shall pay to the company the value of the animals which die in their possession, also the value of the tools which they break, injure, or destroy.

Recorded by the notary public in Mexico December 11, 1894.

[See form of contract in Ellis's letter of May 31, 1895, above.]

Arrivals at Tlahualilo, Mexico, February 6, 1895.

No.	Name.	From—	Age.	Male.	Female.
1	1. Joe Cardwell	Tuscaloosa, Ala	50	1	.....
	2. Mary Cardwell	.....do	49	.....	1
	3. Adiss Cardwell	.....do	23	.....	1
	4. John Cardwell	.....do	20	1	.....
	5. Hocastor Cardwell	.....do	18	1	.....

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
1	6. Joe Cardwell	Tuscaloosa, Ala	15	1	
	7. Mathi Cardwell	do	13		1
	8. Vesta Cardwell	do	11		1
	9. Stiarlin Cardwell	do	7	1	
	10. Joseph Cardwell	do	5	1	
	11. Jesnie Cardwell	do	3		1
	12. Luta Cardwell	do	2		1
	13. Eddie Hicks	do	1		1
	14. Annie Hicks	do	10		1
	15. John Breally	do	37	1	
2	16. Peter Liest	do	45	1	
	17. Mandig Liest	do	50		1
	18. Joseph Liest	do	15	1	
	19. Lucy Liest	do	16		1
	20. Thomas Jones	do	21	1	
	21. Rosa Stricklin	do	3		1
3	22. John Holdrian	do	40	1	
	23. Siler Holdrian	do	33		1
	24. Clark Chilan	do	23	1	
	25. Betty Holdrian	do	5		1
	26. Silva Holdrian	do	3	1	
	27. Chas. Fletcher	do	1	1	
4	28. Jack Eddings	do	51	1	
	29. Mascpet Eddings	do	49		1
5	30. Henry Wilson	do	31	1	
	31. Sidel Wilson	do	32		1
	32. Manuel Wilson	do	15		1
	33. Rudol Wilson	do	12	1	
	34. Rosie Wilson	do	9		1
	35. Saur Wilson	do	6	1	
	36. Manuel Wilson	do	3	1	
	37. Bauser Wilson	do	3		1
	38. Ester Wilson	do	1		1
6	39. C. S. Hullinose	do	41	1	
	40. Fannie Hullinose	do	35		1
	41. Ada Hullinose	do	9		1
	42. Wille Hullinose	do	8	1	
	43. W. W. West Hullinose	do	53	1	
	44. William Hullinose	do	14	1	
7	45. Jolind Green	do	25	1	
	46. Ella Green	do	24		1
	47. Louis Jollie	do	29	1	
	49. Fannie Jollie	do	30		1
	50. Vallie Jollie	do	11	1	
	51. Duslon Jollie	do	9	1	
	52. Marie Jollie	do	5		1
	53. Mary Clask	do	27		1
9	54. Prisx Anthony	do	48	1	
	55. Mandiliane	do	48		1
	56. John Doaly	do	20	1	
10	57. Sara McGee	do	40	1	
	58. Will Hensly	do	21	1	
	59. Lucy Hensly	do	30		1
	60. Gilbert Louis	do	35	1	
	61. Esek Sins	do	16	1	
	62. H. H. Hirisly	do	2	1	
	63. R. Wilson	do	37	1	
	64. Bettie Wilson	do	36	1	
	65. S. Willicorns	do	49		1
	66. Burl Jackson	do	40	1	
	67. Maridy Jackson	do	30		1
	68. Jerry Hasper	do	44	1	
	69. Sallie Hasper	do	25		1
	70. Ulan Hasper	do	12	1	
	71. Mattie Hasper	do	10		1
	72. Annie Hasper	do	5		1
	73. Katie Hasper	do	3		1
	74. Edolie Hasper	do	7		1
	75. Fred Hasper	do	7		1
	76. Howard Ultangoun	do	21		1
	77. Jim Crauler	do	29	1	
	78. Rosa Crauler	do	49	1	
	79. Chas. Taylor	do	20	1	
	80 Richard Adison	do	47		1
	81. Hoskin Howard	do	24	1	
	82. J. Adison	do	15	1	
	83. L. Arcleson	do	12	1	
	84. Eruh Anderson	do	9	1	
	85. Jonie Anderson	do	7	1	
	86. Jack Anderson	do	5	1	
	87. Joe Middlebrook	Griffin, Ga	23	1	
	88. Susie Middlebrook	do	27		1

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
10	89. Geo. Corder	Griffin, Ga	37	1	
	90. Hattie Corder	do	37		1
	91. Rachel Corder	do	50		1
	92. Nanie Corder	do	15		1
	93. Lula Corder	do	13		1
	94. Cora Middlebrook	do	4		1
	95. Lenora Middlebrook	do	5		1
	96. Gurcie Middlebrook	do	3	1	
	97. Nellie Middlebrook	do	2	1	
	98. Will July	do	26	1	
	99. Thomas Lereza	Tuscaloosa, Ala	48	1	
	100. Ubealy Lereza	do	40		1
	101. Edward Hopkins	do	50	1	
	102. Agnio Hopkins	do	40		1
	103. Edward Hopkins	do	17	1	
	104. Roskin Hopkins	do	15	1	
	105. Lizzie Hopkins	do	18		1
	106. Mary Hopkins	do	7		1
	107. Stetemer Hopkins	do	4	1	
	108. Martha Hopkins	do	2		1
	109. Michell Louis	do	28	1	
	110. Rosa Louis	do	38		1
	111. Mary Louis	do	14		1
	112. Ulinnie Louis	do	10	1	
	113. Lee Walker	do	32	1	
	114. Will Rosa	do	22	1	
	115. Will Johnson	do	20	1	
	116. Harry Williams	do	18	1	
	117. Ann Cortes	do	26	1	
	118. Solomon Reed	do	47	1	
	119. Lucy Reed	do	40		1
	120. Edward Reed	do	19	1	
	121. Acy Reed	do	17	1	
	122. Ruby Reed	do	13	1	
	123. Mary Reed	do	9		1
	124. George Reed	do	5	1	
	125. Stella Reed	do	3	1	
	126. Caloph Harden	do	60	1	
	127. Efron Hood	do	46	1	
	128. Lizzie Hood	do	45		1
	129. Mollie Hood	do	18		1
	130. Rachel Hood	do	16		1
	131. Can Hood	do	17	1	
	132. Iferon Hood	do	13	1	
	133. Caron Hood	do	11	1	
	134. Mathson Hood	do	3	1	
	135. Silvesta Hood	do	1		
	136. Henry Lasio	do	25	1	
	137. Nellie Lasio	do	20		1
	138. Joel Lasio	do	6	1	
	139. Cora Lasio	do	3		1
	140. Lizzie Lasio	do	2		1
	141. Hures Hood	do	24		
	142. Beckie Hood	do	22		
	143. Caroline Hood	do	46		
	144. Ruff Hood	do	17		
	145. Bill Hood	do	15		
	146. James Hood	do	12		
	147. Mary Hood	do	11		
	148. William Emmons	do	31	1	
	149. Lucie Emmons	do	25		1
	150. Eliza Parker	do	49		1
	151. Mary Emmons	do	11		1
	152. Cera Emmons	do	9		1
	153. Milly Emmons	do	4	1	
	154. Wieblex Emmons	do	1	1	
	155. William Wilson	do	22	1	
	156. Bud Wilson	do	20		1
	157. Augustine Wilson	do	1		1
	158. Harry Wilson	do	46	1	
	159. Buly Wilson	do	38		1
	160. Samie Wilson	do	16	1	
	161. Lillie Wilson	do	14		1
	162. Resta Wilson	do	13		1
	163. Morgan Wilson	do	11	1	
	164. Arthur Wilson	do	9	1	
	165. Burda Wilson	do	4		1
	166. Hubard Wilson	do	2	1	
	167. T. P. Phillips	do	42	1	
	168. James Phillips	do	13	1	
	169. Earnest Phillips	do	10	1	
	170. Lavesta Phillips	do	4	1	

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
10	171. Willie Phillips	Tuscaloosa, Ala	3	1	
	172. Thomas Person	do	46	1	
	173. Maria Person	do	40		1
	174. Willie Person	do	10	1	
	175. Budy Person	do	7	1	
	176. Emma Person	do	25		1
	177. Anthony Gadson	Gadsden, Ala	28	1	
	178. Lue Gadson	do	23		1
	179. Franklin Gadson	do	5	1	
	180. Matt Taylor	do	31	1	
	181. Annie Taylor	do	23		1
	182. Scoot Bush	do	35		
	183. Margaret Bush	do	22		
	184. Scoot Sodd	do	45	1	
	185. Larkin Webb	do	21	1	
	186. Mary Webb	do	22	1	
	187. Thore Bammett	do	40	1	
	188. Ridley Bammett	do	41		1
	189. Hillard Gantt	do	47	1	
	190. Carthene Gantt	do	45		1
	191. Mary Gantt	do	22		1
	192. Ulalisu Gantt	do	19	1	
	193. Eliza Gantt	do	17	1	
	194. Lue Gantt	do	15		1
	195. Cuslu Gantt	do	11		1
	196. Perler Gantt	do	7		1
	197. Elisha Gantt	do	7	1	
34	1. Aleck Bryant	Tuscaloosa, Ala	29		
	2. Mary Bryant	do	24		
35	1. Austin Sanders	do	24		
	2. Maria Sanders	do	50		
	3. Jun Sanders	do	56		
36	1. Hicks Burnes	do	50		
	2. Jove Burnes	do	40		
	3. Charlie Burnes	do	15		
	4. Arthur Burnes	do	12		
	5. Eddie Burnes	do	10		
	6. Will Burnes	do	19		
	7. Robert Burnes	do	2		
37	1. Jones Sterlin	do	25		
	2. Francis Sterlin	do	30		
	3. Virginia Sterlin	do	7		
38	1. G. W. Smith	do	49		
	2. Mary Billard	do	36		
	3. Tom Billard	do	16		
39	1. Will Parker	do	21		
	2. Maudy Parker	do	40		
	3. Adeline Parker	do	15		
	4. Tom Parker	do	14		
	5. Berry Parker	do	11		
	6. Fanny Parker	do	18		
40	1. Burk Smith	do	34		
	2. Belle Smith	do	23		
	3. Fensey Smith	Williams, Ala	17		
	4. Eddie Smith	do	14		
	5. Charlie Smith	do	12		
	6. Lester Smith	do	5		
	7. Julie Smith	do	1		
	8. Eddie Smith	do	21		
	9. Barber Gove	do	26		
41	1. Adams Philipes	do	27		
	2. Caroline Philipes	do	28		
	3. Patsy Philipes	do	12		
	4. Briston Philipes	do	8		
	5. Buddy Philipes	do	1		
	6. Elizabeth Philipes	do	4		
	7. Mary Philipes	do	45		
42	1. Gabriel Washington	do	50		
	2. Margaret Washington	do	45		
	3. Cherokee Washington Leed	do	25		
	4. Joseph Washington	do	22		
	5. Lena Washington	do	17		
	6. Virginia Washington	do	15		
	7. Phoebe Washington	do	12		
	8. Jeff Brown	do	30		
	9. Freddy Washington	do	7		
	10. Archie Washington	do	9		
	11. Baby Washington	Tuscaloosa, Ala	1		
43	1. Sam Powels	do	33		
	2. Ora Powels	do	25		
	3. Willie Powels	do	7		
	4. Haston Powels	do	6		

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
43	5. Lizzie Powels	Tuscaloosa, Ala	5	.....	.....
	6. Lelia Powels	do	4	.....	.....
	7. Fester Powels	do	1	.....	.....
44	1. Early McLuster	do	35	.....	.....
	2. Francis Willis	do	34	.....	.....
	3. Dudley Mollon	do	18	.....	.....
	4. Eddy McLuster	do	17	.....	.....
	5. Robert Anderson	do	17	.....	.....
45	1. John Watson	do	24	.....	.....
	2. Ella Watson	do	24	.....	.....
	3. Willis Watson	do	1	.....	.....
46	1. Jack Morris	do	40	.....	.....
	2. Anna Morris	do	38	.....	.....
	3. Mary Morris	do	6	.....	.....
	4. Winnie Morris	do	3	.....	.....
	5. Jack Morris	do	17	.....	.....
47	1. Charlie Lewis	do	48	.....	.....
	2. Sarah Lewis	do	45	.....	.....
	3. Caroline Lewis	do	20	.....	.....
	4. Mann Lewis	do	16	.....	.....
	5. Jolin Lewis	do	8	.....	.....
	6. Willie Lewis	do	6	.....	.....
	7. Albert Lewis	do	20	.....	.....
48	1. Richard Mansin	do	50	.....	.....
	2. Henry Mansin	do	18	.....	.....
	3. West Mansin	do	6	.....	.....
	4. Mandy Mansin	do	27	.....	.....
	5. Oliver Mansin	do	20	.....	.....
	6. Malikee Mansin	do	18	.....	.....
	7. Jeuter Mansin	do	13	.....	.....
	8 Alice Mansin	do	16	.....	.....
	9. Velmer Mansin	do	11	.....	.....
	10. Dora Mansin	do	10	.....	.....
	11. Will Mansin	do	14	.....	.....
49	1. Spencer Penn	do	50	.....	.....
	2. Julie Penn	do	40	.....	.....
	3. Claudis Penn	do	16	.....	.....
	4. Lilia Penn	do	14	.....	.....
	5. Perlie Penn	do	11	.....	.....
	6. Virginia Penn	do	2	.....	.....
	1. J. C. Hendon	Eutaw, Ala	41	1	.....
50	2. Nellie Hendon	do	20	.....	1
	3. Lavinia Hendon	do	16	.....	1
	4. Margaret Hendon	do	14	.....	1
	5. Fannie Hendon	do	9	.....	1
	6. Willie Hendon	do	5	.....	1
	7. Mary Hendon	do	3	.....	1
	8. Jeff Hendon	do	7	1	.....
	9. J. Moore Gove	do	50	1	.....
	1. Gus Jones	do	31	1	.....
51	2. Lanie Jones	do	20	.....	1
	3. Tom Jones	do	10	1	.....
	1. Sol Bennet	do	35	.....	.....
52	2. Mary Bennet	do	44	.....	.....
	3. Jessie Bennet	do	20	.....	.....
	1. Jack Moore	do	45	1	.....
53	2. Allie Rosebaum	do	50	.....	1
	3. Jordan Rosebaum	do	20	1	.....
	1. Charlie Lee	do	45	1	.....
54	2. Laura Lee	do	35	.....	1
	3. Mamie Lee	do	23	.....	1
	4. Handie Lee	do	9	1	.....
	5. Caleb Lee	do	8	1	.....
	6. Reley Lee	do	6	1	.....
	7. Willie Lee	do	5	1	.....
	1. Thomas Means	do	44	1	.....
55	2. Silla Means	do	35	.....	1
	3. Minnie Means	do	12	1	.....
	4. Alex Means	do	10	1	.....
	5. Nettie Means	do	8	.....	1
	6. Marx Means	do	6	.....	1
	7. Jerrx Means	do	4	1	.....
	1. James Richardson	do	48	1	.....
56	2. Judia Richardson	do	45	.....	1
	3. Nellie Richardson	do	37	.....	1
	4. James Richardson	do	14	1	.....
	5. Jerry Richardson	do	9	1	.....
	6. Polly Richardson	do	18	.....	1
57	1. Green Means	do	49	1	.....
	2. Sarah Means	do	35	.....	1
	3. Lizzie Means	do	18	1	.....
	4. Florence Means	do	17	.....	1

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
57	5. Bud Means	Eutaw, Ala	15		1
	6. Lula Means	do	13		1
	7. Rolly Means	do	10		1
	8. Norman Means	do	9	1	
	9. John Davis	do	21	1	
58	1. Bowman Williams	do	49	1	
	2. Margaret Williams	do	48		1
	3. Eaton Williams	do	28	1	
	4. Wyatt Williams	do	23	1	
59	1. Janus Williams	do	30	1	
	2. Margaret Williams	do	30		1
	3. Margaret Williams	do	17		1
	4. Easter Williams	do	25	1	
60	1. Henry Thompson	do	50	1	
	2. Artillie Thompson	do	40		1
	3. Julia Thompson	do	16		1
	4. Willie Thompson	do	10	1	
	5. Newton Thompson	do	45	1	
	6. Richard Thompson	do	18	1	
61	1. Brad McKelton	do	27	1	
	2. Lidia McKelton	do	24	1	
	3. Sandy McKelton	do	3	1	
	4. Caroline McKelton	do	7		1
	5. Scot McKelton	do	18		
62	1. Joe Thompson	do	50	1	
	2. Hennie Thompson	do	50		1
	3. Linda Thompson	do	26		1
	4. Charlie Thompson	do	18	1	
	5. Albert Thompson	do	16	1	
	6. Cooper Thompson	do	13	1	
63	1. Harry Purcell	do	6	1	
	2. Susan Purcell	do	3	1	
	4. Mary Purcell	do	10		1
	5. Oliver McKelton	do	22	1	
	6. Fannie McKelton	do	19		
	7. Henry McKelton	do	22	1	
64	1. Henry McAlpines	do	21	1	
	2. Susan McAlpines	do	2		1
65	1. Griffin Walden	do	21	1	
	2. Charlotte Walden	do	50		1
	3. Mary Walden	do	12	1	
	4. John Walden	do	15	1	
	5. Wood Walden	do	19	1	
	6. Susie Walden	do	18		1
	7. Gramion Walden	do		5	
66	1. P. P. Purcell	do	65	1	
	2. Mary Purcell	do	66		1
	3. Ida Purcell	do	30		1
	4. William Purcell	do	12	1	
	5. Harriet Hamilton	do	48		1
	6. W. Hamilton	do	48		
	7. Nidy Hamilton	do	7		
	8. Jo Hamilton	do	3		
	9. Mary Hamilton	do	11		
	10. Alex Hamilton	do	18	1	
	11. Kate Hamilton	do	16	1	
	12. Perry Hamilton	do	11	1	
	13. Isaac Hamilton	do	7	1	
67	1. Rufus Mays	do	55	1	
	2. Dina Mays	do	46	1	
	3. Adeline Mays	do	19		
	4. Eddie Mays	do	23		
68	1. Anderson Knox	do	56	1	
	2. Asa Coloir	do	15	1	
	3. Orleans Coloir	do			1
69	1. James Thompson	do	44	1	
	2. Mandy Thompson	do	40		1
	3. Jama Thompson	do	18		1
	4. Mary Thompson	do	16		1
70	1. Dick Chambers	do	48	1	
	2. Clarissa Chambers	do	40		1
	3. Amelia Chambers	do	12		1
	4. Wayne Chambers	do	14	1	
	5. Kelly Means	do	18	1	
71	1. Griffin Lovett	do	30	1	
	2. Lucy Lovett	do	24		1
	3. Lizzie Lovett	do	9		1
72	1 Harry Mason	do	49	1	
	2. Peggie Mason	do	47		1
	3. Georgia Ann Mason	do	20		1
	4. Harry Mason	do	14	1	
	5. Mattie Mason	do	10		1

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
72	6. Monroe Mason	Eutaw, Ala	8	1	
	7. Thomas Jones	do	21		
	8. Aaron Cantas	do	27		
73	1. Della Gandy	do	28		1
74	1. Ivan Jackson	do	38	1	
	2. Jennie Jackson	do	30		1
	3. Martha Jackson	do	20		1
	4. Columbus Jackson	do	18	1	
	5. Henry Morgan	do	16	1	
	6. Thomas Morgan	do	40	1	
	7. Elsie Morgan	do	13		1
	8. Ben Thompson	do	41	1	
	9. Willie Horton	do	18	1	
	10. Savage Grand Din	do	22		
	11. Georgia Grand Din	do	18		
	12. Chest Eaten	do	30		
	13. Elizabeth Eaten	do	15		
	14. Ross Eaten	do	12		
	15. Birk Eaten	do	8		
75	1. Rebecha Carpenter	do	34		1
	2. Rosana Carpenter	do	18		1
	3. Wiston Carpenter	do	16	1	
	4. Jonie Carpenter	do	13	1	
	5. Aaddie Carpenter	do	10		1
	6. Moses Carpenter	do	6	1	
	7. Rebecha Carpenter	do	6		1
	8. Marell Carpenter	do	3	1	
76	1. Sid Hanler	do	21		
	2. Queen Hanler	do	17		
77	1. Richard Williams	do	49		
	2. Annie Williams	do	36		
	1. Elsie Franklin	do	28		
	2. Bell Franklin	do	5		
	4. Clara Franklin	do	4		
	5. Lula Franklin	do	1		
	1. Leroy Williams	do	49		
	2. Mary Lee Williams	do	9		
	3. Harrison Williams	do	7		
	4. Lee Sneed Williams	do	7		
	5. Adline Miller	Tuscaloosa, Ala	35		
	6. Willie Fonster	do	21		
	7. Beel Miller	do	14		
	8. Warren Miller	do	11		
	9. Clara Miller	do	9		
	10. Eddie Miller	do	7		
78	1. Joe Cardwell	do	49		
	2. Mary Cardwell	do	35		
	3. Ady Cardwell	do	23		
	4. John Cardwell	do	20		
	5. Histon Cardwell	do	17		
	6. Joe Cardwell	do	15		
	7. Mattie Cardwell	do	13		
	8. Vista Cardwell	do	11		
	9. Sterling Cardwell	do	9		
	10. Joseph Cardwell	do	5		
	11. Jennie Cardwell	do	3		
	12. Lovery Cardwell	do	2		
	13. Annie Cardwell	do	18		
	14. Eddie Cardwell	do	1		
	15. John Bradley Gove	do	37		
79	1. Peter Diest	do	45		
	2. Mandy Diest	do	50		
	3. Joseph Diest	do	15		
	4. Puncy Diest	do	16		
	5. Thos. Jones	Carter, Ala	21		
	6. Rosa Strickling	do	3		
80	1. John Holman	do	40		
	2. Lis Holman	do	33		
	3. Clark Christingone	do	23		
	4. Betty Coleman	do	5		
	5. Sylvia Coleman	do	1		
	6. Fletcher Coleman	do	1		
	1. Jack Eddings	do	5		
	2. Margaret Eddings	Tuscaloosa, Ala	5		
81	1. Henry Wilson	do	31		
	2. Cindy Wilson	do	32		
	3. Minnie Wilson	do	15		
	4. Bud Wilson	do	10		
	5. Roxie Wilson	do	8		
	6. Sam Wilson	do	5		
	7. Mansen Wilson	do	3		
	8. Bamer Wilson	do	2		

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
81	9. Esther Wilson	Tuscaloosa, Ala	1		
82	1. C. S. S. Tillman	do	41		
	2. Fannie Tillman	do	41		
	3. Willie Tillman	do	8		
	4. W. M. Meritte	do	50		
	5. Wm. Meritte	do	14		
	6. Ada Stillman	do	9		
83	1. Jo James	Johns, Ala	17		
	2. Jack Green	do	25		
	3. Ellin Green	do	27		
84	1. Louis Jolly	do	29		
	2. Francis Jolly	do	30		
	3. Vally Jolly	do	11		
	4. Osborn Jolly	do	9		
	5. Maria Jolly	do	5		
	6. Mollie Clark Gove	do	27		
85	1. Sam McGees Gove	do	40		
	2. Will Hensley	do	27		
	3. Lucy Hensley	do	20		
	4. Gilbert Gaines	do	35		
	5. Aleck Simins (gone)	do	16		
	6. Henry Hensley	do	2		
86	1. Prince Anthony	Tuscaloosa, Ala	29		
	2. Maud Anthony	do	48		
	3. Jisn Dooley	do	20		
	4. Robert Wilson	do	40		
	5. Peter Wilson	do	27		
	6. Sam Wilson	do	49		
87	1. Buel Jackson	do	40		
	2. Mandy Jackson	do	30		
	3. Jerry Harper	do	44		
	Lawter Sue Siez	do	25		
	4. Sallie Jackson	do	25		
	5. Man Jackson	do	12		
	6. Hattie Jackson	do	10		
	7. Rosa Jackson	do	4		
	8. Fannie Jackson	do	5		
	9. Katie Jackson	do	1		
	10. Eddie Jackson	do	3		
88	1. Howard Mangun	do	27		
	2. Jim Crowley	do	29		
	3. Charlie Jaylae	do	20		
89	1. Rliody Addison	do	47		
	2. Jim Addison	do	24		
	3. Dan Addison	do	15		
	4. Emily Addison	do	9		
	5. Jus Addison	do	7		
	6. Zack Addison	do	5		
	7. Hastings Howard	do	24		
90	1. Joe Middlebrooks	do	23		
	2. Suzie Middlebrooks	do	27		
91	1. George Carden	do	37		
	2. Hattie Carden	do	37		
	3. Rachell Carden	do	50		
	4. Nannie Carden	do	15		
	5. Lulu Carden	do	13		
	6. Cora Carden	do	4		
	7. Lena Carden	do	5		
	8. George Carden	do	4		
	9. Nell Carden	do	2		
	10. Will Turley Carden	do	26		
92	1. Thomas Lindzie	do	49		
	2. Melie Lindzie	do	45		
93	1. Ed. Hopkins	do	50		
	2. Angus Hopkins	do	40		
	3. Ed. Hopkins	do	17		
	4. Roscoe Hopkins	do	15		
	5. Lena Hopkins	do	18		
	6. Mary Hopkins	do	7		
	7. Sterling Hopkins	do	4		
	8. Martha Hopkins	do	2		
94	1. Hines Hood	do	24		
	2. Becky Hood	do	22		
	3. Caroline Hood	do	46		
	4. Rufe Hood	do	14		
	5. Wm. Hood (see Davis, 140)	do	15		
	6. Jim Hood	do	12		
	7. Mary Hood	do	11		
95	1. Mitchell Lewis	do	28		
	2. Rosa Lewis	do	38		
	3. Mary Lewis	do	14		
	4. Jennie Lewis	do	10		

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
95	5. Lee Walker Lewis	Tuscaloosa, Ala	22		
	6. Will Rosa Lewis	do	22		
	7. Will Jackson Lewis	do	20		
	8. Henry Williams	do	18		
	9. Aaron Carter	do	25		
96	1. Solomon Reed	do	47		
	2. Lucy Reed	do	40		
	3. Ed. Reed	do	19		
	4. Ace Reed	do	17		
	5. Robt. Reed	do	13		
	6. Mary Reed	do	9		
	7. George Reed	do	5		
	8. Stella Reed	do	3		
	9. Caliph Hardin	do	50		
97	1. Ephraim Hood	do	46		
	2. Liza Hood	do	45		
	3. Mollie Hood	do	18		
	4. Rachel Hood	do	16		
	5. Carrie Hood	do	18		
	6. Eph. Hood	do	12		
	7. Carrien Hood (see Lavis, 140)	do	11		
	8. Nathan Hood	do	3		
	9. Sylvester Hood	do	1		
98	1. Will Wilson	do	22		
	2. Betty Wilson	do	20		
	3. Augusta Wilson	do	1		
99	1. Henry Davis	do	25		
	2. Willie Davis	do	20		
	3. Joe Davis	do	6		
	4. Cora Davis	do	3		
	5. Lizzie Davis	do	2		
100	1. Wm. Emmons	Birmingham, Ala	31		
	2. Lucy Emmons	do	25		
	3. Elizy Parker	do	49		
	4. Money Parker	do	19		
	5. Cora Emmons	do	9		
	6. Willis Emmons	do	4		
	7. Wesley Emmons	do	1		
101	1. Will Willson	do	22		
	2. Betsy Wilson	do	20		
	3. Augusta Wilson	do	1		
102	1. Henry Wilson	do	46		
	2. Betsy Wilson	do	38		
	3. Sam Wilson	do	16		
	4. Lelia Wilson	do	14		
	5. Pen Wilson	do	13		
	6. Morgan Wilson	do	12		
	7. Arthur Wilson	do	9		
	8. Birdie Wilson	do	4		
	9. Hubbard Wilson	do	2		
103	1. B. T. Phillips	do	46		
	2. Jas. Phillips	do	14		
	3. Emmet Phillips	do	10		
	4. Lorenze Phillips	do	4		
	5. Willis Phillips	do	3		
104	1. Pom Pierson	Gadsden, Ala	46		
	2. Maria Pierson	do	40		
	3. Will Pierson	do	10		
	4. Rhody Pierson	do	7		
	5. Emma Pierson	do	25		
105	1. Sthony Gideon	do	38		
	2. Lie Gideon	do	23		
	3. Francis Gideon	do	5		
106	1. Matt Taylor	do	31		
	2. Annie Taylor	do	33		
107	1. John Bush	do	25		
	2. Margaret Bush	do	48		
108	1. Scott Jodie	do	45		
	2. Mary Jodie	do	22		
	3. Larkin Webb	do	21		
109	1. John Burnett	do	40		
	2. Bidley Burnett	do	41		
	3. Le Ella Burnett	do	24		
110	1. Hillard Gandy	do	50		
	2. Catharine Gandy	do	49		
	3. Marie Gandy	do	22		
	4. Mollie Gandy	do	19		
	5. Eliza Gandy	do	17		
	6. Luo Gandy	do	15		
	7. Curley Gandy	do	11		
	8. Perley Ganny	do	7		
	9. Elisha Gandy	do	5		

Arrivals at Tlahualilo, Mexico, February 6, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
110	10. Buben Richardson	Gadsden, Ala	50		
	11. Harred Richardson	do	40		
	12. Mary Harden	do	39		
	13. Bytsy Harden	do	39		
	14. Eddy Harden	do	14		
	15. Eddy Harden	do	12		
	16. Garfield Harden	do	10		
	17. Luzinda Harden	do	5		
	18. Luvinia Harden	do	1		
	19. Cercinl Harden	do	37		

Record of deaths occurring at Camp Jenner, Texas, while under charge of Marine Hospital Service.

Date.	Name.	Age.	Diagnosis.
1895.			
Aug. 13	Sid Hamler	18	Confluent variola.
13	Arthur Wilson	18	Do.
13	Bessie Rosebarn	17	Do.
14	Bessie Wilson	38	Do.
14	Clark Hillmen	48	Discrete variola.
14	Ollie Johnston	28	Confluent variola.
15	Allen Roseman	66	Do.
15	Webb Carpenter	8	Do.
16	Marcellus Carpenter	8	Diarrhea.
16	Roxy Harris	37	Confluent variola.
16	John Watson	20	Do.
17	Ellen Collins	35	Do.
17	Rufe Thompson	16	Do.
19	Lizzie Profit	56	Do.
20	Ada Stillman	12	Do.
21	Jennie Moore	[1]	Do.
22	Rosa Carpenter	19	Do.
22	Sou Guiden	22	Do.
23	Alleck Bryant	31	Do.
23	Ed. Hood	22	Do.
24	Artelia Thompson	40	Do.
24	Ella Harris	29	Do.
29	Chas. Lewis	15	Tubercle of lung.
29	Howard Manguin	27	Confluent variola.
29	Suburda Wilson	27	Do.
29	Mary Virginia Henton	4	Discrete variola.
29	Glover Carpenter	3	Tubercle of lung.
31	Aleck Means	15	Confluent variola.
Sept. 3	Jim Lewis	4	Tubercle of lung.
5	Clarence Carpenter	6	Do.
6	Gus Jones	33	Confluent variola.
19	Jack Harris	40	Do.
20	Mary Gandy	.....	Do.
Oct. 1	Tobe Carpenter	.....	Diarrhea.

[1] One month and 6 days.

Record of the deaths occurring at Camp Jenner, Texas, before Marine Hospital Service assumed charge.

Harry Mason, Hicks Burnett, Henry Thompson, Frank Martin (arrived dead), L. Franklin, Willie Franklin, Lulu May Franklin, Annie Russell, Celia Means, Daisy Walker, John Moore, E. McCluster, Luther Glover, Vina Watkins, Adeline Parker, Gilbert Gaines, W. Hampton, W. M. Merritt, Amelia Lindsay, Mitchell Lewis, Ridley Bonnett, J. Dowy, Frank Martin, William Ellis, Emma Allen, Annie Hamler.

Arrivals at Tlahualilo, February 25, 1895.

No.	Name.	From—	Age.	Male.	Female.
1	1. Henry Moore	Tuscaloosa, Ala	28	1	
	2. Nancy Moore	do	21		1
	3. Sarah Moore	do	2		1
	4. Mary Moore	do	1		1
2	1. L. Cochron	do	23	1	
	2. Lovell Cochron	do	21		1

Arrivals at Tlahualilo, February 25, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
3	1. John Wadkin	Tuscaloosa, Ala	45	1	
	2. Viney Wadkin	do	36		1
	3. Lula Wadkin	do	10		1
4	1. Moses Gibson	do	40	1	
	2. Rachel Gibson	do	40		1
	3. Fletcher Gibson	do	20	1	
	4. Candis Gibson	do	18		1
	5. Liddie Gibson	do	16		1
	6. Mary Gibson	do	15		1
	7. Norris Gibson	do	25	1	
	8. C. Williams	do	39	1	
5	1. Joe Joby	do	50	1	
	2. Henrietta Joby	do	45		1
	3. Oliver Joby	do	21	1	
	4. Margaret Joby	do	19		1
	5. Wilson Joby	do	17	1	
	6. Jenny Joby	do	15		1
	7. Belle Joby	do	6		1
	8. Joe Jobe, jr	do	4	1	
	9. Baby Jobe	do	1		1
	10. John Woad	do	40	1	
6	1. Pless Owens	do	27	1	
	2. Annie Owens	do	26		1
	3. Emma Owens	do	8	1	
7	1. Sam Claiborne	do	26	1	
	2. Emma Claiborne	do	27		1
	3. Sam Claiborne	do	3	1	
	4. Emma Claiborne	do	1		1
	5. Carrie Coles	do	27		1
	6. Cherry Coles	do	27		
	7. Mary Coles	do	10		1
8	1. John Marr	do	50	1	
	2. Martha Marr	do	45	1	
	3. John Marr, jr	do	28	1	
	4. R. J. Jackson	do	22		1
	5. Francis Marr	do	12		1
9	1. William Henderson	do	50	1	
	2. Anna Henderson	do	35		1
	3. Amor Henderson	do	9	1	
10	1. Henry Moore	do	22	1	
	2. Margaret Moore	do	19		1
11	1. Solomon Lovin	do	50		1
	2. Hannah Lovin	do	50	1	
	3. James Lovin	do	20	1	
	4. Mary Lovin	do	11		1
12	1. Henry Johnson	do	30	1	
	2. Allie Johnson	do	28		1
13	1. Robert Russell	do	49	1	
	2. Annie Russell	do	38		1
	3. Belle Russell	do	20		1
	4. Marion Russell	do			1
14	1. Sophia Logan	do	50	1	
	2. Jean Logan	do	21	1	
	3. Lula Logan	do	20		1
	4. Willie Jordan	do	18		
15	1. Emma Allen	do	45		1
	2. Allen Logan	do	16	1	
	3. Farmer Logan	do	15	1	
	4. Edgar Logan	do	12	1	
16	1. Wm. Brown	do	22	1	
	2. Fannie Brown	do	25	1	
	3. John Brown	do	1	1	
17	1. Henry Gadsden	do	32	1	
	2. Sallie Gadsden	do	22		1
	3. Clarence Gadsden	do	3		1
	4. Jim Campbell	do	22	1	
	5. Eddie Gadsden	do	12	1	
18	1. Will Hunter	do	26	1	
	2. May Hunter	do	17		1
	3. David Hunter	do	10	1	
	4. Dan Hunter	do	8	1	
	5. Jim Hunter	do	5	1	
19	1. Elbert King	do	23	1	
	2. Della King	do	22		
	3. Patience Williams (Sam Williams)	do	15		
	4. Sam Jackson	do	4		
	5. Mary Jackson	do	2		
	6. Leroy Williams	do			
20	1. Joe Glover	do	45		
	2. Mary Glover	do	35		
	3. Willie Glover	do	15		

Arrivals at Tlahualilo, February 25, 1895—Continued.

No.	Name.	From—	Age.	Male.	Female.
20	4. Margaret Glover	Tuscaloosa, Ala	12		
	5. Colver Glover	do	10		
	6. Luther Glover	do	8		
21	1. Willis Watsen	do	45		
	2. Julie Watsen	do	35		
	3. Belle Watsen	do	6		
	4. Eliza Prophet	do	14		
	5. John Prophet	do			
22	1. Colunelar Richardson	do	21		
	2. Mary Richardson	do	22		
	3. Flander Richardson	do	7		
	4. Dicey Walker	do	48		
23	1. Chas. Halfacre	do	47		
	2. Mandy Halfacre	do	40		
	3. Martha Halfacre	do	50		
	Joney	do	11		
	4. Austin Halfacre	do	13		
	5. Joe Halfacre	do	12		
	6. Chas. Halfacre	do	8		
	7. Walker Halfacre	do	9		
	Lucindy Joclk Pointer	do	20		
24	1. Lem Hamler	do	25		
	2. Martha Hamler	do	24		
	3. Eddie Hamler	do	10		
	4. Daisy Hamler	do	7		
	5. Lizzie Hamler	do	21		
25	1. Peter Browne	do	45		
	2. Adeline Browne	do	16		
26	1. Henderson Leach	do	23		
	2. Maggie Leach	do	26		
	3. Maud Leach	do	10		
	4. Catherine Leach	do	8		
	5. Wash Leach	do	6		
	6. Houston Leach	do	4		
	7. Baby Leach	do	1		
27	1. Frank Martin	do	29		
	2. Annie Martin	do	26		
	3. Mandy Martin	do	10		
	4. Frank Martin	do	6		
	5. Virginia Martin	do	6		
	6. Jora Daley	do	50		
	7. Lee Walker	do	22		
	8. Lucy Walker	do	48		
28	1. Louis Pollard	do	38		
	2. George Pollard	do	29		
	3. Lucy Pollard	do	30		
	4. Dora Pollard	do	10		
	5. Joe Pollard	do	9		
	6. Riley Pollard	do	7		
	7. Lucy Pollard	do	4		
	8. Louis Pollard	do	2		
29	1. John Brodey	do	32		
	2. Lizzie Brodey	do	18		
	3. George Clemmons	do	40		
30	1. Samuel Murr	do	30		
	2. Pollie Murr	do	17		
	3. Frank Murr	do	1		
	4. Angeline Murr	do	35		
	5. Williams	do	35		
31	1. Dora Wilson	do	46		
	2. Lore Wilson	do	40		
	3. Delia Wilson	do	20		
	Sid Stokes	do	10		
	4. Washington Wilson	do	15		
	5. Jennie Wilson	do	12		
32	1. Robert Brown	do	35		
	2. Ella Brown	do	33		
	3. Hattie Parker (rather Pasker)	do	23		
	4. Hattie Williams	do	20		
	5. Wm. Ellis	do	22		
	6. May Ellis	do	50		
	7. Pompey Ellis	do	16		
33	1. Isaac Prophet	do	50		
	2. Lizzie Prophet	do	50		
	3. John Prophet	do	14		
	4. H. C. Reynolds	do	40		

MEXICAN COLONIZATION COMPANY,

——— ———.

Get ready at once!——

Mexico! Mexico! Mexico!

Wanted, 500 colored country farm hands, in families, to go to Mapimi, Mexico, to farm on the one-half shares, to start not later than the 25th January; wanted to arrive on the twenty-ninth. Railroad fare will be advanced, together with clothing, provisions, medicines, and all necessaries, until after the cropping year; the greatest opportunity ever offered to the colored people of the United States to go to Mexico, which is better known as the country of "God and Liberty," and which offers unequaled inducements for agricultural laborers in the growth of cotton and corn.

The lands are beautifully situated in the State of Durango, in the northeasterly portion of the Republic of Mexico; lands are cleared and ready for farming purposes, situated on the railroad.

The soil being rich and fertile, cotton has only to be replanted every four or seven years, and can easily raise a bale to the acre, and corn 50 to 75 bushels to the acre, while cotton is worth 17½ cents per pound and corn selling at one dollar per bushel. The lands are irrigated by a canal that traverses over twenty-five miles around the plantation, and furnishes water when it is needed. Thus you are independent of rains or seasons and no chance of a poor crop or failure. We will furnish mules that are quite gentle and ready for work; also plows, hoes, harrows, planters, and all agricultural implements that are used in the United States for farming purposes. We also agree to furnish comfortable houses to live in, and give every family during the time they remain on the plantation five acres of land free for gardening for the maintenance of their families.

In consideration of the above facts, we give to the colonists one-half of the cotton, corn, etc., that they may raise on the said lands, they, of course, to repay their indebtedness to the company.

Do you want to join this colony?

If you do, state the number in your family between the ages of 12 and 50 years, and what will be your nearest railroad station to start from, and if you can be ready by the 25th of January.

We wish to impress on your minds that the great Republic of Mexico extends to all of its citizens the same treatment—equal rights to all, special privileges to none. Send in your lists of families and names at once, or you will get left.

100 able-bodied families wanted for first shipment. After that shipments will be made every 30 days in large numbers.

All kinds fine game, such as deer, bear, duck, wild geese, and all manner of small game, as well as opossum. Provisions worth half what they are in the United States.

There will be one church and one schoolhouse to each one hundred families; you select your own preacher from among yourselves.

You will pay back one-half of your transportation the first year, and four years to pay balance, without interest. No interest charged on any advancements of money or provisions.

You will only be charged up with one-half the railroad fare; the other half will be made a present to you by the company. This is one of the inducements they offer you to come and help settle up this glorious country and better your condition. They need labor badly, and prefer the colored people to the Chinese and Italians. An average good family, who will work and live economically and take care of what they make, can clear from a thousand to twelve hundred dollars per year.

Lands can be bought up in the State of Durango cheaper than you can fertilize an acre in the State of Georgia or Alabama to raise a bale of cotton.

Will take people at Mobile, Montgomery, Birmingham, Tuscaloosa, and Selma, Alabama; also, Meridian, Miss. Write or telegraph me at any of the above addresses, in care of general delivery, or to

PEG WILLIAMS,
Representative Ellis' Mexican Colonization Co.,
P. O. Box 343, 42 Wall st., Atlanta, Ga.

Write at once F. T. Williams, Greensboro, Ga.

Mr. Sparks to Mr. Uhl.

No. 97.] CONSULATE OF THE UNITED STATES,
Piedras Negras, October 26, 1895. (Received November 4.)

SIR: I have the honor to inclose herewith copies of letters and telegrams, which form the contracts I had with the Mexican International

Railroad, marked No. 1, signed by C. K. Dunlap, general passenger agent, and those of the Southern Pacific Railway, marked No. 2, signed by L. J. Parks, assistant general passenger agent, and S. F. B. Morse, general passenger agent, and of the Louisville and Nashville Railroad, marked No. 3, signed by S. R. Knott, vice-president of said railway. The Mexican International transported these negro colonists at about three-fourths of a cent per mile. The Southern Pacific and Louisville and Nashville agreed to transport them at 1 cent per mile per capita; all of these railroads, however, agreed to transport these negro colonists and risk Congress making an appropriation at its next meeting for the payment of their transportation.

I gave each one of these railway companies copies of telegrams of July 26, 1895, signed by Acting Secretary Adee, and of September 21, 1895, signed by Secretary Olney, before any contracts were made.

I have, etc.,

JESSE W. SPARKS,
United States Consul.

[Inclosure 1 in No. 97.]

Mr. Dunlap to Mr. Sparks.

CIUDAD PORFIRIO DIAZ, COAHUILA, MEXICO, *September 13, 1895.*

DEAR SIR: Referring to the movement of destitute negro colonists returning from Mapimi, I beg to state that we moved 412 adults and 73 children, exclusive of those under the age of 7 years, to Eagle Pass upon various dates between July 26 and August 21. We have relied upon the assurance of the recommendation to Congress for payment for the transportation as intimated in telegram from Mr. A. A. Adee, Acting Secretary, July 26, and will now present bill on this basis. Kindly advise if you will approve.

Yours truly,

C. K. DUNLAP,
General Passenger Agent.

The above is a copy of Mr. C. K. Dunlap's letter stating that his railroad company transported the Tlahualilo colonists with the understanding that his railroad company would await the action of Congress in making an appropriation for that purpose.

JESSE W. SPARKS,
United States Consul.

[Inclosure 2.—Letters and telegrams.]

Mr. Parks to Mr. Sparks.

HOUSTON, TEX., *September 16, 1895.*

DEAR SIR: I have just received your letter of the 14th and have taken the matter up with our Mr. S. F. B. Morse, at New Orleans, whom I have requested to interview the Q. and C. officials and see if arrangements can not be made to handle the negroes under the same conditions that we will handle them from Eagle Pass to New Orleans, viz: To take receipt from yourself for transportation given the negroes through to their destination, and await the action of Congress in making an appropriation to cover the cost of transportation. As soon as I receive a reply will advise you, but in the meantime I beg to say that I have offered free transportation to the representatives of certain planters to go to Eagle Pass to secure some of these negroes for the cotton-picking season, and have offered to make a very low rate for their transportation to the places where they will be engaged.

I have some hopes that we shall be able to dispose of some of them in this manner, and certainly if the negroes are willing to work there should be no reason after the representatives reach Eagle Pass why a contract could not be made that will be satisfactory.

Yours, truly,

L. J. PARKS,
A. G. P. & T. A.

The above is a copy of a letter received by me from L. J. Parks, assistant general passenger agent of Southern Pacific Railway, showing that his company will trans-

port the Tlahualilo negro colonists and await the action of the next Congress to make an appropriation for the payment of said transportation. See telegrams of L. J. Parks, dated September 21, and S. F. B. Morse, dated September 25, hereto attached.

JESSE W. SPARKS,
United States Consul.

Mr. Parks to Mr. Sparks.

[Telegram.]

HOUSTON, *September 21, 1895.*

Telegram received. We will haul the negroes on the conditions in the telegram from Secretary Olney, if the Government will take charge of the negroes on their arrival at New Orleans, or if arrangements are made with lines east of New Orleans to take them through to their homes, our object being to avoid conflict with the authorities by throwing the negroes upon the city of New Orleans.

L. J. PARKS,
Assistant Passenger Agent.

Mr. Morse to Mr. Sparks.

[Telegram.]

NEW ORLEANS, LA., *September 25, 1895.*

Our Houston office instructed to make arrangements for movement of negroes from Eagle Pass. Southern Pacific will handle them to New Orleans on same basis as Louisville and Nashville to Birmingham, at 1 cent per mile per capita. I am advised by Houston office that necessary equipment will arrive in Eagle Pass to-day.

S. F. B. MORSE,
General Passenger Agent.

[Inclosure 3 in No. 97.—Telegram.]

Mr. Knott to Mr. Sparks.

LOUISVILLE, KY., *September 23, 1895.*

United States Consul, Eagle Pass:

Your message yesterday to President Smith received. Our information is that negroes referred to desire to go to Birmingham and not Tuscaloosa. We are in negotiation with large contractors at Birmingham looking for labor and it may be they can avail themselves of all or at least a part of the number as laborers.

In meanwhile we have said to General Passenger Agent Morse, of Southern Pacific, we will join him in arrangement requested by Secretary of State Olney in moving the negroes from Eagle Pass to Birmingham at 1 cent per mile per capita, depending on the Government for payment after appropriation is secured.

S. R. KNOTT, *Vice-President.*

The above is a copy of a telegram from S. R. Knott, vice-president of the Louisville and Nashville Railway, agreeing to transport the Tlahualilo negro colonists over his road at 1 cent per mile per capita and await payment after Congress makes an appropriation for that purpose.

JESSE W. SPARKS,
United States Consul.

Mr. Chambers to Mr. Olney.

MCGILL BUILDING, 908 G STREET N.W.,
Washington, D. C., November 21, 1895. (Received Nov. 23).

SIR: Please find herewith inclosed account, in duplicate, dated November, 1895, of the Galveston, Harrisburg and San Antonio Railway Company for transportation of 334 negroes, Eagle Pass to New

Orleans, on request of the United States consul at Piedras Negras, Mexico, which request was made by authority of your telegram of September 21, 1895. The total amount of the bill is $2,471.60.

I am advised that these negroes had been previously moved from Alabama and Georgia to a colony in Mexico under the alluring promises of a Mexican syndicate. They returned to the United States, and as smallpox had broken out among them, they were held in quarantine by the United States Government, and being without means, were transported under the authority of your aforesaid telegram. The circumstances under which this transportation was performed called for immediate service, and it was performed, although the company had knowledge that probably no present funds were available to meet the expense. The company relied upon the assurance of yourself, which, they were informed, was also the assurance of the President, that Congress would be urgently recommended to make the necessary appropriation, should it be discovered that no funds were at the present disposition of the Department for this purpose. Should it be found, therefore, that you have no funds now available, I respectfully request that this bill be included in the first estimate for urgency appropriation that may be made to Congress.

Very respectfully,

D. A. CHAMBERS,
Attorney G., H. & S. A. Ry. Co.

[Copy of telegram.]

DEPARTMENT OF STATE,
Washington, D. C., September 21, 1895.

SPARKS,
Consul, Piedras Negras, via Eagle Pass:

Arrange immediately, if possible, with railroads by contract to transport all the negro refugees to their homes in Alabama on the assurance of this Department, which is also the assurance of the President, that Congress will be urgently recommended to vote repayment.

The Department thinks the railroads ought not to assume and will not assume the serious responsibility of refusing this arrangement. If, however, they do refuse notwithstanding all your efforts, then telegraph at once lowest lump sum for which the railroads will contract to transport them, that the Department may ascertain whether there is any mode not now known by which the cash may be raised. Answer earliest possible moment.

OLNEY.

On the strength of the assurance given in the telegram quoted above that Congress would be urged to make an appropriation to pay for the transportation, transportation was furnished by the Galveston-Harrisburg Railway Company, known as the Southern Pacific Railway, from Eagle Pass, Tex., to New Orleans, La., between September 26, 1895, and November 2, 1895, various parties of American negro colonists, at the rate of 1 cent per mile per capita, and the charges for transportation are stated below:

1895.		
Sept. 26.	167 negroes, 740 miles	$1,235.80
Oct. 4.	36 negroes, 740 miles	266.40
Oct. 10.	52 negroes, 740 miles	384.80
Oct. 22.	69 negroes, 740 miles	510.60
Nov. 3.	10 negroes, 740 miles	74.00
	Total (334)	2,471.60

CONSULATE OF THE UNITED STATES,
Piedras Negras, November 11, 1895.

This statement rendered by the Galveston, Harrisburg and San Antonio Railway Company is correct and in accord with an agreement I had with said company for the transportation of the negro colonists under instructions from the honorable Secretary of State at Washington, and is hereby approved.

[SEAL.]

JESSE W. SPARKS,
United States Consul.

Mr. Johnson to Mr. Olney.

MEXICAN INTERNATIONAL RAILWAY COMPANY,
November 30, 1895.

Sir: I have the honor to inclose herewith, in triplicate, bill of this company against the Government of the United States for $18, Mexican coin, with exchange at 53¼, equal to $9.58 United States currency, for transportation of two adult negro Tlahualilo colonists from Torreon to Eagle Pass at $6 Mexican money each, and two children at $3 Mexican money each. Preceding the bill is the copy of telegrams from your office to Consul Sparks of this place of the 26th of July and 21st of September last, and following is a certificate of the consul as to the service rendered.

Will you kindly place this bill with that for $1,464.91, United States money, of the 2d of October last, transmitted to you on the 4th of the same month, which I trust was duly received, although it has not yet been acknowledged.

Yours, truly,

L. M. JOHNSON,
General Manager.

Mr. Adee to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., July 26, 1895.

War Department will ship 1,500 rations to you from San Antonio, Tex., and if return to colony is not practicable or consistent with humane considerations, assure railroad company that payment of transportation of sufferers to their homes will be strongly recommended to next Congress and probably allowed. If such assurance will not accomplish the purpose, wire this Department. State number needing aid.

ADEE, *Acting.*

On the strength of the assurance given in the telegram quoted above, there were transported by the Mexican International Railroad Company from Torreon, Mexico, to Eagle Pass, Tex., a distance of 385 miles, between the dates of July 26 and September 28, 1895, various parties of American negroes who had reached Torreon from the Tlahualilo Colony near Mapimi, Durango, in a sick and destitute condition, the aggregate number of individuals composing the said parties and the charges for their transportation being as stated below.

Mr. Olney to Mr. Sparks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, D. C., September 21, 1895.

Arrange immediately, if possible, with railroads by contract to transport all the negro refugees to their homes in Alabama on the assurance of this Department, which is also the assurance of the President, that Congress will be urgently recommended to vote repayment. The Department thinks the railroads ought not assume and will not assume the serious responsibility of refusing this arrangement. If, how-

ever, they do refuse, notwithstanding all your efforts, then telegraph at once the lowest lump sum for which the railroads will contract to transport them, that the Department may ascertain whether there is any mode not now known by which the cash can be raised. Answer earliest possible moment.

OLNEY.

Bill is therefore rendered for transportation furnished this day, as follows:

Two adults, at $6 (Mexican money) each	$12.00
Two children, at $3 (Mexican money) each	6.00
Total (Mexican coin)	18.00
Exchanged at 53¼ equals in United States currency	9.58

Ciudad Porfirio Diaz, Coah., Mexico, October 14, 1895.

S. DENNISON.

Supplementary to bill rendered under date of October 2, 1895, and not included in transportation covered thereby.

CONSULATE OF THE UNITED STATES,
Piedras Negras, November 29, 1895.

This statement rendered by the Mexican International Railroad Company is correct and in accord with an agreement I had with said company for the transportation of the negro colonists, under instructions from the Honorable Secretary of State at Washington, and is hereby approved.

[SEAL.]

JESSE W. SPARKS,
United States Consul.

Mr. Sparks to Mr. Uhl.

No. 103.] CONSULATE OF THE UNITED STATES,
Piedras Negras, January 6, 1896. (Received January 14.)

SIR: I have the honor to report that your dispatch No. 58, dated Washington, December 21, 1895, has been received, which relates to the account of the Louisville and Nashville Railroad Company's account for transporting the negro colonists from New Orleans to their homes in Alabama.

I report for the information of the Department that I approved the account of said company some time in November last for $1,141 as correct. I suppose the general passenger agent, Col. C. P. Atmore, will soon forward this approved account for $1,141 to the Department, if, indeed, he has not already done so.

I have, etc.,

JESSE W. SPARKS,
United States Consul.

Mr. Atmore to Mr. Uhl.

LOUISVILLE AND NASHVILLE RAILROAD COMPANY,
PASSENGER DEPARTMENT,
Louisville, Ky., Januury 15, 1896. (Received January 18.)

DEAR SIR: I am favored by Consul J. W. Sparks, of Piedras Negras, Mexico, with copy of your dispatch to him, which is accompanied by an approved statement of account rendered by our company for the transportation of 326 negro colonists from New Orleans, La., to Birmingham, Ala., en route from the interior of Mexico. I have the honor to hand you herewith two copies of said account, and beg leave to request that such action as may be necessary to place them in process of liquidation shall be taken by your Department. It is desirable that voucher or check for the amount of bill should be made payable to the Louisville and Nashville Railroad Company, and forwarded to Mr. W. W. Thompson, treasurer, Louisville, Ky.

Very respectfully,

C. P. ATMORE,
General Passenger Agent.

[Inclosure.—Telegram.]

Mr. Olney to Mr. Sparks.

Arrange immediately, if possible, with railroads by contract to transport all the negro refugees to their homes in Alabama on the assurance of this Department, which is also the assurance of the President, that Congress will be urgently recommended to vote payment. The Department thinks the railroads ought not to assume and will not assume the serious responsibility of refusing this arrangement. If, however, they do refuse notwithstanding all your efforts, then telegraph at once lowest lump sum for which the railroads will contract to transport them, that the Department may ascertain whether there is any mode not known by which the cash may be raised. Answer earliest possible moment.

OLNEY.

On the strength of the assurance given in the telegram quoted above that Congress would be urged to make an appropriation to pay for the transportation, transportation was furnished by the Louisville and Nashville Railroad Company from New Orleans, La., to Birmingham, Ala., between September 27, 1895, and November 4, 1895, various parties of American negro colonists, at the rate of 1 cent per mile per capita, and the charges for their transportation are stated below:

1895.		
Sept. 27.	159 negroes, 350 miles	$556.50
Oct. 5.	36 negroes, 350 miles	126.00
Oct. 11.	52 negroes, 350 miles	182.00
Oct. 23.	69 negroes, 350 miles	241.50
Nov. 4.	10 negroes, 350 miles	35.00
	Total (326 negroes)	1,141.00

Louisville, Ky., December —, 1895.

CONSULATE OF THE UNITED STATES,
Piedras Negras, Mexico, November 4, 1895.

This statement rendered by the Louisville and Nashville Railway Company is correct and in accord with an agreement I had with said company for the transportation of the negro colonists, under instructions from the Honorable Secretary of State at Washington, and is hereby approved.

[SEAL.]

JESSE W. SPARKS,
United States Consul.

RECAPITULATION.

Mexican International Railway Company for transportation from Torreon, Mexico, to Eagle Pass, Tex., 385 miles.

418 adults, at $6, Mexican, each	$2,508.00
81 children, at $3, Mexican, each	243.00
Total (499)	2,751.00
Exchange at 53¼ equals in United States currency	1,464.91
Additional:	
2 adults, at $6, Mexican, each	12.00
2 children, at $3, Mexican, each	6.00
Total (4)	18.00
Exchange at 53¼ equals in United States currency	9.58

Total amount due Mexican International Railway, $1,474.49, United States currency

Galveston, Harrisburg and San Antonio Railway, known as the Southern Pacific Railway, from Eagle Pass, Tex., to New Orleans, La., at the rate of 1 cent per mile per capita.

Sept. 26.	167 negroes	$1,235.80
Oct. 4.	36 negroes	266,40
Oct. 10.	52 negroes	384.80
Oct. 22.	69 negroes	510.60
Nov. 3.	10 negroes	74.00
	Total (334)	2,471.60

Louisville and Nashville Railroad Company for transportation from New Orleans, La., to Birmingham, Ala., at 1 cent per mile per capita.

Sept. 27.	150 negroes	$556.50
Oct. 5.	36 negroes	126.00
Oct. 11.	52 negroes	182.00
Oct. 23.	69 negroes	241.50
Nov. 4.	10 negroes	35.00
	Total (326)	1,141.00

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 170.

HENRY L. MITCHELL.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Henry L. Mitchell against The United States.

JANUARY 27, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 24, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOS. B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional No. 7530. Henry L. Mitchell *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Henry L. Mitchell, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed October, 1893.

[Court of Claims. Congressional case No. 7530. Henry L. Mitchell *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies, or stores, alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 27th day of March, 1890.

On a preliminary inquiry the court, on the 17th day of October, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 6th day of November, 1894.

Charles and William B. King, esqs., appeared for claimant, and the Attorney-General, by G. H. Gorman, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That in Benton County, Mo., the United States forces as hereinafter specified took from him the following stores and supplies for the use of the Army:

4,300 bushels of corn at 30 cents per bushel	$1,290.00
4 horses at $116 each	464.00
(Taken in December, 1861, and January, 1862, by the command of General Fremont.)	
54 beef cattle at $40 each	2,160.00
50 fat hogs at $7 each	210.00
(Taken by General McKay, quartermaster, and General Fremont's command, October 1, 1861.)	
Total	4,124.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

As alleged in the claimant's petition, the military forces of the United States took for the use of the Army from said claimant, stores and supplies of the kind alleged, amounting in value to the sum of two thousand four hundred and thirty dollars ($2,430).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed December 10, 1894.

A true copy.

Test this 24th day of January, 1896

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 171.

SUMMARY COURT ACT.

LETTER

FROM

THE ASSISTANT SECRETARY OF WAR,

TRANSMITTING

A letter from the Judge-Advocate-General of the Army, including an amendment to a draft of a bill to amend the summary court act.

JANUARY 27, 1896.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 24, 1896.

SIR: I have the honor to transmit herewith letter from the Judge-Advocate-General, United States Army, dated the 24th instant, inclosing a revised draft of section 5 of the bill to amend the summary court act. The substitution as presented meets with the approval of this Department.

Very respectfully,

JOSEPH B. DOE,
Assistant Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
OFFICE OF THE JUDGE-ADVOCATE-GENERAL,
Washington, January 24, 1896.

SIR: I inclose a revised draft of section 5 of the bill to amend the summary court act, which was forwarded to the Speaker of the House of Representatives by War Department letter of January 14, and has been referred to the Committee on Military Affairs. The changes consist in the interpolation of the words "refuses to take the oath or affirmation as such," and two minor changes made necessary by this interpolation. It occurs to me that the omission of these words would enable a person to evade the law.

I would recommend that this revised draft of section 5 be referred to the military committee of the House with the recommendation that it be substituted for the section as it is now in the draft of the bill submitted.

Very respectfully,

G. NORMAN LIEBER,
Judge-Advocate-General.

The ASSISTANT SECRETARY OF WAR.

SEC. 5. That when any person not in the military service who appears before a general court-martial of the Army as a witness refuses to take the oath, or affirmation as such, or being lawfully ordered by it to testify or to produce any document or other subject of evidence under his control, refuses or willfully fails to obey such order, any such refusal or failure shall be a misdemeanor, and such person on conviction thereof in a district court of the United States shall be punished with imprisonment not exceeding one year, or fine not exceeding one thousand dollars, or both.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 172.

WILLIAM P. SHELTON.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William P. Shelton against the United States.

JANUARY 27, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 25, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOS. B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 7774. William P. Shelton *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that William P. Shelton, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed February 11, 1895.

[Court of Claims. Congressional case No. 7774. William P. Shelton *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 4th day of June, 1890.

On a preliminary inquiry the court, on the 11th day of February, 1895, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 8th day of January, 1896.

G. W. Z. Black, esq., appeared for claimant, and the Attorney-General, by Charles C. Binney, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States residing in Jackson County, Ala., and that there were taken from him in said county and State during the war of the rebellion, by the military forces of the United States for their use, the following stores and supplies, to wit:

300 pounds of oat straw (furnished January 14, 1864, to Capt. Theo. Voges, A. Q. M., Second Brigade, Fifteenth Army Corps)	$8.00
2 horses, at $125 each (furnished August 28, 1863, to Capt. C. T. Garrett, A. Q. M.)	250.00
Total	258.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the claimant in Jackson County, State of Alabama, during the war of the rebellion, by the military forces of the United States, for the use of the Army, stores and supplies of those above described, which at the time and place of the taking were reasonably worth the sum of two hundred and thirty dollars ($230).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed January 13, 1896.

A true copy.

Test this 25th day of January, A. D. 1896.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 173.

NATALIE EPPSTEIN, ADMINISTRATRIX.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Natalie Eppstein, administrator, against the United States.

JANUARY 27, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 24, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. THOS. B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 4006. John B. Eppstein *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that John B. Eppstein, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed May 20, 1889.

[Court of Claims. Congressional case No. 4006. Natalie Eppstein, administratrix of John B. Eppstein, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion was transmitted to the court by the Committee on War Claims, House of Representatives, on the 20th day of April, 1888.

On a preliminary inquiry the court, on the 20th day of May, 1889, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 14th day of January, 1896.

F. P. Dewees, esq., appeared for claimant, and the Attorney-General, by John G. Capers, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States

The claimant in her petition makes the following allegations:

That the said John B. Eppstein during the war of the rebellion resided in Chatham County, Ga., where was taken from him during said period, by the United States forces, under proper authority, certain quartermaster stores and supplies of the value of $1,510, as follows:

7,000 feet of lumber, at $12 per M	$840
3 head of horses, at $100 per head	300
2 head of cows, at $30 per head	60
10 head of hogs, at $20 per head	200
1 cow	50
3 tons of hay	60
Total	1,510

That the claim was presented to the Southern claims commission and rejected because not convinced of his loyalty.

That the claim had never been assigned or transferred, and that he was the sole owner thereof.

The court, upon the evidence and after considering the briefs and arguments of counsel, made the following

FINDINGS OF FACT:

There were taken from the place of claimant's decedent, in Chatham County, State of Georgia, in the winter of 1864–65, by the military forces of the United States for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of ($595) five hundred and ninety-five dollars.

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed January 20, 1896.
A true copy.
Test this 24th day of January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 174.

MRS. HATTIE E. LADD.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. Hattie E. Ladd against The United States.

JANUARY 27, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 24, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 8349. Hattie E. Black, now Hattie E. Ladd, *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that said Hattie E. (Black) Ladd, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed June 19, 1893.

[Court of Claims. Congressional case No. 8349. Mrs. Hattie E. Ladd (formerly Hattie E. Black) *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States, for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 2d day of March, 1891.

On a preliminary inquiry the court, on the 19th day of June, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 15th day of January, 1896.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq , his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant, in her petition, makes the following allegations:

That she is a citizen of the United States, residing in Yalobusha County, State of Mississippi, where she resided during the late war of the rebellion; that at different times during the said period the United States forces, by proper authority, took from her quartermaster stores and commissary supplies of the value of $2,445 and appropriated the same to the use of the United States Army, as follows:

10 mules	$2,000.00
500 pounds bacon	125.00
2,000 pounds fodder	20.00
100 bushels corn	100.00
1,000 pounds pork	150.00
2,000 rails	50.00
Total	2,445.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the farm of the claimant in Yalobusha County, State of Mississippi, during the war of the rebellion, by the military forces of the United States, for the use of the Army, stores and supplies of those above described, which, at the time and place of taking, were reasonably worth the sum of nine hundred and eighty-five dollars ($985).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed January 20, 1896.
A true copy.
Test this 24th day of January, 1896.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 176.

AMENDED ESTIMATE FOR SALARY IN THE OFFICE OF THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a letter from the Auditor for the State and other Departments amending his estimates submitted of salaries.

JANUARY 27, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *January 25, 1896.*

SIR: I have the honor to transmit herewith for the consideration of Congress copy of a communication from the Auditor for the State and other Departments, under date of December 28, 1895, amending his estimates submitted for salaries of his office for the fiscal year ending June 30, 1897, by the addition of the following: Additional to one chief of division, $400.

In view of the facts presented by him, I have to recommend that such provision be made in the legislative, executive, and judicial appropriation bill now pending.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT, OFFICE OF AUDITOR
FOR THE STATE AND OTHER DEPARTMENTS,
Washington, D. C., December 28, 1895.

SIR: Referring to estimates heretofore made by me in response to your circular letter of July 20 and submitted by you to the Congress, of appropriation required for "Salaries, office of the Auditor for the State and other Departments," fiscal year ending June 30, 1897, I have the honor to request that you submit an additional estimate, to wit:

Additional for one chief of division, $400, making the salary of one chief of division $2,400 in lieu of $2,000.

This recommendation is made for the reason that the character of the services required of the chief of the "Division of Judicial Accounts," in this office, merits a larger compensation than the amount provided by law, and, further, that a larger compensation is provided for the same or similar services performed in other bureaus of this Department and in other Departments.

Through the "Division of Judicial Accounts" a class of accounts pass which are among the most vexatious presented to the accounting officers. The First Comptroller in his annual report for the fiscal year ending June 30, 1894, said, "The accounts of the officers of United States courts continue to be the most difficult of satisfactory adjustment." Almost the entire time of the clerks engaged in examining accounts is employed in revising accounts audited in the Department of Justice, this being the final examining division on all accounts of the officers of United States courts. The nature of the work of the chief of the division is such that none but a lawyer of considerable experience is fully competent to fill the position. The Attorney-General has submitted an estimate for salary of "One chief of Division of Accounts, $2,400." The work of the "Division of Accounts," Department of Justice, has to be thoroughly revised, the accounts reexamined and corrected, and Treasury statements and statements of differences prepared thereon in the "Division of Judicial Accounts." Besides, all matters of balances due to and from the United States on accounts settled are adjusted and the proper payments or transfers made; directions regarding the covering into the Treasury of all moneys deposited by the officers of the courts are given, and requisitions drawn by the Attorney-General for advance of funds are prepared for my approval.

In addition to the work of examining and settling accounts, the chief of this division has charge of the files in the office, and supervises the work of preparing transcripts for suits and for other purposes.

Respectfully, yours,

THOMAS HOLCOMB, *Auditor.*

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 177.

ROCK CREEK RAILWAY COMPANY.

JANUARY 27, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF THE RECEIPTS AND EXPENDITURES OF THE ROCK CREEK RAILWAY COMPANY, FROM JANUARY 1, 1895, TO SEPTEMBER 21, 1895.

WASHINGTON, D. C., *January 24, 1896.*

SIR: I have the honor to transmit herewith the report of the receipts and disbursements of the Rock Creek Railway Company from January 1, 1895, to September 21, 1895.

Very respectfully,

G. T. DUNLOP, *President.*

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

List of stockholders of the Rock Creek Railway Company of the District of Columbia, now the Capital Traction Company, of record on the 21st of September, 1895, and statement of receipts and disbursements from January 1, 1895, to September 21, 1895, inclusive.

Stockholders.	Shares.	Stockholders.	Shares.
Francis G. Newlands, trustee	11,221½	Henry M. Earle	2½
William M. Stewart	1,248	Charles C. Glover	1
Francis Hall	2	George T. Dunlop	1
Edw. J. Stellwagen	2½	John R. McLean	1
Thomas M. Gale	2½	John G. Parke	1
Albert W. Sioussa	2½	R. H. Beall	1
Henry E. Davis	5	Henry Hurt	1
Howard S. Nyman	2½		
Frederick L. Siddons	3	Total	12,500
George W. Young	2		

RECEIPTS.

Cash on hand, January 1, 1895	$1,093.82
Capital stock, 4,500 shares	450,000.00
Bills payable	47,412.44
Chevy Chase Land Company loans (released in full by said company)	96,183.85
Passenger earnings	35,403.58
Freight earnings	237.35
Power furnished electric-light station, Chevy Chase Land Company	1,087.50
Mail-car service	146.25
Twenty per cent on material sold to Kensington Railway Company	11.50
Total	631,576.29

DISBURSEMENTS.

Steam plant, main line	$8,331.94
Electric plant, main line	2,832.05
Conduit, U street line	595.61
Power house, U street line	68.15
Rolling-stock equipment	11,843.43
Pavilion and rustic benches	475.74
Punches, etc	50.30
Bills payable	517,599.10
Interest	41,441.60
Insurance	1,735.04
Injury and damage (accident account)	272.35
Taxes (property and charter)	1,516.25
Legal expense	2,717.30
Books, stationery, and printing	412.60
Repairs and renewals of engines, cars, etc	3,833.57
Repairs and renewals of track, roadway, and buildings	2,908.82
Salaries and wages	25,307.28
Expenses, general	917.46
Amusements at lake (music, advertising, etc)	1,668.78
Fuel and light	5,994.83
Oil, waste, and grease	384.72
1894 accounts	669.37
Total	631,576.29

Respectfully submitted.

G. T. DUNLOP,
President of The Capital Traction Company, formerly The Rock Creek Railway Company of the District of Columbia.

C. M. KOONES,
Secretary of The Capital Traction Company, formerly The Rock Creek Railway Company of the District of Columbia.

Francis G. Newlands and Howard S. Nyman, being duly sworn, allege that they were, respectively, president and secretary of the Rock Creek Railway Company, of the District of Columbia, on the 21st day of September, 1895, on which day the Rock Creek Railway Company, of the District of Columbia, changed its name to the Capital Traction Company, and that the foregoing statement of the Rock Creek Railway Company, of the District of Columbia, from January 1, 1895, to September 21, 1895, is true to the best of their knowledge and belief.

FRANCIS G. NEWLANDS.
HOWARD S. NYMAN.

Subscribed and sworn to before me this 24th day of January, 1896.

[SEAL.]

CHARLES G. SHOEMAKER,
Notary Public.

George T. Dunlop, president, and C. M. Koones, secretary, of the Capital Traction Company, do hereby on oath say that they are, respectively, the president and secretary of the Capital Traction Company, formerly the Rock Creek Railway Company, of the District of Columbia, and that the foregoing statement of the Rock Creek Railway Company, of the District of Columbia, from January 1, 1895, to September 21, 1895, is true to the best of their knowledge and belief.

G. T. DUNLOP, *President.*
C. M. KOONES, *Secretary.*

Subscribed and sworn to before me this 24th day of January, 1896.

[SEAL.]

CHARLES G. SHOEMAKER,
Notary Public.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 178.

APPROPRIATION FOR HORSES FOR CAVALRY AND ARTILLERY.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of War, submitting an estimate of deficiency in the appropriation for horses for cavalry and artillery.

JANUARY 28, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 27, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War, of the 25th instant, submitting an estimate of deficiency in the appropriation for "horses for cavalry and artillery" for the current fiscal year, $49,000.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington City, January 25, 1896.

SIR: I have the honor to forward herewith for transmission to Congress an estimate ($49,000) of a deficiency in the appropriation for "horses for cavalry and artillery" required for the use of the War Department for the service of the fiscal year ending June 30, 1896.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SECRETARY OF THE TREASURY.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 4, 1896.

SIR: I have the honor to report that of the $80,000 appropriated for the purchase of cavalry and artillery horses for the Army during this fiscal year $61,564.89 have already been expended, leaving but $18,435.11 available with six months of the fiscal year yet to run.

Thus far the purchase of 518 horses has been authorized, and the balance in hand will supply about 130 additional horses at existing prices, making a total of about 650 horses which can be supplied from the entire amount appropriated.

No horses have as yet been supplied this fiscal year for the Eighth and Tenth Cavalry, while many troops of the other cavalry regiments and several light batteries of artillery have not as yet made requisition for remounts.

The records of this office show that during the past three fiscal years an average of about 1,000 horses have been required to supply the cavalry and artillery service, so that it is fair to assume that about 350 horses will yet be needed to remount the troops.

To supply these horses at present prices will require about $49,000, and it is respectfully recommended that the attention of Congress be invited to the inclosed deficiency estimate, with request that the necessary funds be appropriated to keep the cavalry and artillery service equipped for efficient service.

Most respectfully,

R. N. BATCHELDER,
Quartermaster-General, United States Army.

The SECRETARY OF WAR.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1896, by the Quartermaster's Department, United States Army.

Horses for cavalry and artillery:

Purchase of horses for the cavalry and artillery and for the Indian scouts and for such infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto: *Provided*, That the number of horses purchased under this appropriation, added to the number on hand, shall not at any time exceed the number of enlisted men and Indian scouts in the mounted service, and that no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster's Department and an inspection by such Department, all under the direction and authority of the Secretary of War (R. S., p. 206, sec. 1133; R. S., p. 221, secs. 1270, 1271; Revised Army Regulations 1895, p. 135, par. 972; Feb. 12, 1895, vol. 28, p. 661, sec. 1)..... $49,000

Amount appropriated for the fiscal year for which the appropriation is required 80,000

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 179.

JAMES McPETERS, ADMINISTRATOR.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James McPeters, administrator, against The United States.

JANUARY 28, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 27, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by this court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOS. B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 4845. Lemuel Corum's estate *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that said Lemuel Corum, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war. The finding of the commissioners on loyalty is overcome by the evidence. As to claimant's having four sons in the Confederate army, it appears that they all deserted through claimant's influence.

Filed June 27, 1892.

BY THE COURT.

[Court of Claims. Congressional Case No. 4845. James McPeters, administrator estate of Lemuel Corum, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies, or stores, alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 10th day of June, 1888.

On a preliminary inquiry the court, on the 27th day of June, 1892, found that the person alleged to have furnished the supplies, or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 5th day of April, 1894.

George A. King, esq., appeared for claimant and the Attorney-General, by Samuel A. Putman, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That the following property was taken from his intestate and used by the United States Army, the date, place, and command being particularly stated below:

In Lauderdale County, Ala., by Colonel Murphy's command, November, 1863:	
1 iron-gray horse	$150.00
Taken in December, 1864, by General Wilson's and General Hatch's commands:	
1 black mule	150.00
700 pounds bacon	175.00
100 bushels corn	100.00
2,000 pounds fodder	40.00
40 chickens	10.00
1 man's saddle	10.00
3 bushel pease	6.00
40 gallons molasses	40.00
Total	681.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from Lemuel Coram, of Lauderdale County, Ala., now deceased, during the war for the suppression of the rebellion, by military authority for the use of the United States Army, stores and supplies consisting of 1 horse, 1 mule, bacon, corn, fodder, saddle, pease, and molasses, then reasonably worth the sum of three hundred and ninety-eight dollars ($398), which does not appear to have been paid for.

No allowance is made for the chickens alleged to have been taken, as, if taken, was a depredation and without authority.

BY THE COURT.

Filed April 9, 1894.

A true copy.
Test this 27th day of January, 1896.

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 180.

MARY E. LAYTON, ADMINISTRATRIX.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact filed in the case of Mary E. Layton, administratrix, against The United States.

JANUARY 28, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 27, 1896.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact filed in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 7657. Mary E. Layton, administratrix of John M. Layton, deceased, *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that said John M. Layton, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed February 6, 1893.

[Court of Claims. Congressional Case No. 7657. John M. Layton *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion was transmitted to the court by the Committee on War Claims of the House of Representatives on the 23d day of April, 1890.

On a preliminary inquiry the court, on the 6th day of February, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 17th day of April, 1894.

Charles & William B. King, esqrs., appeared for claimant and the Attorney-General, by Charles W. Russell, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he was during the late war a resident of the State of Missouri.

That the following property belonging to him was taken from him by the United States Army, the date, place, and command being particularly stated below.

In Taney County, in the State of Missouri, on or about the dates and by the United States forces hereinafter specified, to wit:

Taken by General Curtis's army in May, 1862, and the spring of 1862:

A 1-story house, 18 by 20, used for blockhouse	$600
Plank fence around all houses hereinafter specified	200
Taken in March, 1863, by General Herron's army:	
1,000 bushels of corn, at 50 cents per bushel	500
A 1-story house, 16 by 40, 16 by 18, burned by Herron's army	400
1 barn, 30 by 40, burned by Herron's order	600
A 1-story house, burned by Herron's order	1,000
2 smoke houses, burned by Herron's order	100
10,000 rails burned by Herron's order	200
Total	3,600

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

I.

The court finds that five of the houses above described were not taken for the use of the Army, but that the loss was a destruction of property by the military forces, and not within the jurisdiction of this court.

II.

The court also finds that the remaining property was taken for the use of the Army, and that the reasonable value thereof at the time and place of taking was ($700) seven hundred dollars, which does not appear to have been paid for.

BY THE COURT.

Filed April 23, 1894.
A true copy.
Test this 27th day January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 181.

GEORGE H. JOHNSON, ADMINISTRATOR.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George H. Johnson, administrator, against The United States.

JANUARY 28, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 27, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 7263. Jane L. Johnson, widow of Elisha Johnson, deceased, *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Elisha Johnson, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed April 17, 1893.

[Court of Claims. Congressional case No. 7263. George H. Johnson, administrator of Elisha Johnson, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion was transmitted to the court by the Committee on War Claims of the House of Representatives on the 17th day of February, 1894.

On a preliminary inquiry the court, on the 17th day of April, 1894, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 12th day of December, 1894.

A. J. Willard, esq., appeared for claimant, and the Attorney-General, by C. W. Russell, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That the following property belonging to the deceased was taken from him by the United States Army and used by the said Army, the date, place, and command being as follows:

In Benton County, Ark., on or about the dates and by the United States forces hereinafter mentioned, to wit:

Taken in February or March, 1862, by General Sigel's command, 50 bushels of corn, at $1 per bushel	$50.00
Taken by Colonel Phillip's Indiana Brigade, February or March, 1862:	
500 binds of fodder, at $2 per hundred	10.00
50 bushels of corn, at $1 per bushel	50.00
600 binds of oats, at $2 per hundred	12.00
Taken by Colonel Morrison's First Regiment Arkansas Cavalry in the spring of 1862, 3 head of horses, $100 each	300.00
Taken by Colonel Benton's Cavalry in December, 1864, 25 gallons of molasses, at $1 per gallon	25.00
Taken by a guard on a wagon train in fall of 1864, 8 head of hogs, at $8 per head	64.00
Taken by a scout in August, 1865, 1 horse and harness	200.00
Total	711.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACTS:

There were taken from the decedent, Elisha Johnson, in Benton County, Ark., during the late war, by the military forces of the United States and appropriated to the use of the United States Army, stores and supplies of the kind alleged in the petition, the reasonable value of which at the time and place was one hundred and twenty dollars ($120), which does not appear to have been paid for.

BY THE COURT.

Filed March 18, 1895.
A true copy.
Test this 27th day of January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 182.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A letter from the Attorney-General in support of a claim of R. D. Benedict, for professional services.

JANUARY 29, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 28, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General, of the 25th instant, and its accompanying papers, submitted by him in support of a claim of R. D. Benedict, attorney at law in New York City, for professional services rendered to Samuel H. Lyman, clerk of the United States district court in that city, $500.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 25, 1896.

SIR: You are respectfully requested to transmit to Congress the inclosed papers in support of a claim of R. D. Benedict, attorney at law in New York City, N. Y., for professional services rendered to Samuel H. Lyman, clerk United States district court in that city, in resisting an effort of the Treasury officials in 1892 to deprive the clerk of accommodations in the post-office building conceded to him by previous authorities.

The papers consist of bill of Mr. Benedict, dated November 19, 1894 ($500); letter of Mr. Benedict to Lyman, dated October 24, 1895; letter of Mr. Lyman to the Attorney-General, November 15, 1895; copy of letter of Judge Addison Brown to the Attorney-General, December 26, 1894; and Ex. Doc. No. 121, Fifty-third Congress, third session.

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SECRETARY OF THE TREASURY.

LAW OFFICES OF BENEDICT & BENEDICT,
68 Wall street, New York, November 19, 1894.

Samuel H. Lyman, clerk of the district court of the United States for the southern district of New York, to R. R. Benedict, Dr.

For the following services in the matter of his petition for injunction:

June 3, 1892.	Retained to appear for the clerk, and received from him copy of petition and order to show cause. Examined petition, consulted repeatedly with the petitioner, and examined statutes and authorities.	$500.
June 21, 1892.	Attended in court to argue the petition; argument begun and partly completed.	
June 22, 1892.	Continued argument and adjourned to the 23d.	
June 23, 1892.	Attended and continued argument, and adjourned to the 24th.	
June 24, 1892.	Argument adjourned to the 27th.	
June 27, 1892.	Attended, and argument closed. Pending this proceeding I went to Washington to the office of the Attorney-General in reference to the matter and was gone one day. Prepared long brief on the law and authorities and submitted the same to the court.	
July —, ——.	Examined briefs submitted in opposition to the petition. Prepared additional brief in favor of the petitioner and submitted same to the court.	

Received payment.

LAW OFFICES OF BENEDICT & BENEDICT,
68 Wall street, New York, October 24, 1895.

DEAR SIR: I send you herewith again my bill for the services rendered in the matter of the petition to the court for an injunction to restrain the custodian of the Federal Building from ejecting the clerk from some of the offices occupied by him. You will see that I have increased the amount of my charge from $250 to $500. When I rendered the other bill I reduced it below what I considered a fair charge for the services rendered in the idea that if the bill was not a large one it would be paid out of the receipts of the clerk's office without objection. That expectation, however, I found futile, and I find that the bill must go through the wearisome process of an application to Congress for its payment. That being so, I see no reason why the bill should be for a sum less than a fair compensation for the services, and I think no one who was at all cognizant of the circumstances would hesitate to say that the charge as it stands is a moderate one.

The question involved was an entirely new and strange one. It required a careful examination of all the statutes of the United States in any way relating to the matter, from the foundation of the Government down. It required an extensive search and a careful consideration of principles which have been very rarely, if ever, before the courts for consideration, or discussed in the text-books. I gave the matter a great deal of time. The argument was long before the court, occupying part of five days, and the preparation of my own brief in the matter and the examination of the briefs and authorities submitted in opposition to our petition was no small matter. And, as I have said, I am confident that no one at all familiar with the matter would say that the charge I now make is anything but moderate.

I shall be obliged to you if you will, as far as you can, forward the presentation of the matter to Congress. I presume the Department of Justice will recommend the appropriation as it did before, and that the Treasury Department will take the proper action in reference to the matter.

I remain, your obedient servant, ROBERT D. BENEDICT.

SAMUEL H. LYMAN, *Clerk, etc.*

NEW YORK CITY, *November 15, 1895.*

SIR: I have the honor to submit the inclosed letter from R. D. Benedict, esq., together with his bill for legal services rendered this office.

Referring to his present charge of $500 instead of $250, as heretofore rendered, and submitted to the Department November 20, 1894, it should be said that when the former bill was presented, the suggestion of a minimum charge came from me. I did

not feel at that time, owing to the unusual nature of the case, altogether sure that the Department of Justice would authorize its payment from the surplus receipts of the office, but in the hope that it would do so, and thus avoid a long and tedious delay awaiting a special appropriation by Congress, the above suggestion as to the amount of the bill was followed. The Department, however, finding no precedent for such a disbursement, forwarded the papers to Congress at its last session with a recommendation that the appropriation be made, as appears by a letter to the Secretary of the Treasury from the Attorney-General, of December 15, 1894. Congress, I am informed, never took any action in the premises.

It does seem unreasonable, therefore, inasmuch as counsel has been so long delayed—the services having been rendered in June, 1892—to expect him to abide by his reduced and very inadequate charge, instead of the one now made, an amount which the judge of this court who heard the argument thought a reasonable one. A copy of his letter to the Department at the time the former bill was sent is inclosed.

The facts in the matter already appear in the former correspondence with the Department. When this office was threatened with dispossession from rooms containing valuable records, the then United States district attorney for this district was applied to by me for legal assistance, but was of the opinion that the clerk could not legally hold possession. Inasmuch as the attempt to dispossess was accompanied by threats, I was compelled to apply to the court, on formal petition, for an injunction, etc., and then sought the assistance of counsel—the United States district attorney having in the meantime been retained by the United States Treasury Department, which claimed absolute control over the rooms in this building. The case was very exhaustively argued through several days, and a long opinion rendered, which is reported in Fed. Rep., vol. 55, p. 29, In re Lyman. In the conclusions reached in that opinion the United States Treasury Department has acquiesced.

The importance of the question involved in the controversy, in which Mr. Benedict rendered such valuable and indispensable service to this office, can not be too strongly insisted upon. The decision of the court discusses the right of the United States courts to the rooms its clerks occupy, and for the first time established those rights against all interference, except by Congress. It is an instructive and most exhaustive discussion of the whole subject, and the counsel's brief, which is already upon the files of the Department, shows how largely it contributed to the successful issue.

I beg leave to refer to my former letters upon this subject, now on the files of this Department, dated November 20 and December 21, 1894.

Hoping that Mr. Benedict's present bill will meet with the approval of the Department, and be submitted to Congress for favorable action,

I remain, respectfully,

SAM'L H. LYMAN, *Clerk, etc.*

Hon. JUDSON HARMON,
United States Attorney-General.

DECEMBER 26, 1894.

DEAR SIR: In the matter of the clerk's application for the allowance of $250, as the charges of Mr. Robert D. Benedict for services in the defense of the clerk's possession of his office rooms, it is, I think, proper that I should state my approval of this charge, inasmuch as the clerk's expense account is required to have the approval of the court.

The situation was altogether peculiar and exceptional. The clerk consulted me about it beforehand. The Treasury Department had directed the United States attorney here to support the ouster of the clerk, and the United States attorney was acting on that side. The question involved was perceived to be a very important one in principle. I was the only tribunal that could hear the case, and I was, therefore, bound to hold myself aloof from the position of counsel, and I advised the clerk that he must employ counsel for the proper examination and presentment of the case.

The employment of counsel was a manifest necessity, and the expense, to a reasonable sum, was plainly, in my judgment, a "necessary office expense" within section 839. The charge of $250 is a very low charge. The case was long under consideration and repeatedly argued. Five hundred dollars would not have been deemed excessive.

Yours, respectfully,

ADDISON BROWN,
United States District Judge.

The UNITED STATES ATTORNEY-GENERAL.

TREASURY DEPARTMENT, *December 17, 1894.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General, of the 15th instant, and its accompanying papers, requesting an appropriation of $250 to pay the account of R. D. Benedict, attorney at law, New York, N. Y., for legal services rendered to Samuel H. Lyman, clerk of the United States district court in New York City.

Respectfully, yours,

W. E. CURTIS, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., December 15, 1894.

SIR: You are respectfully requested to transmit to the Speaker of the House of Representatives, for proper action at the present session, the inclosed claim of $250, presented by R. D. Benedict, an attorney at law in New York City. It is for legal services rendered to Samuel H. Lyman, clerk of the United States district court in New York City, N. Y.

One of the general appraisers, under instructions from the Treasury Department, which claimed exclusive jurisdiction of all rooms in the United States court and post-office building, threatened to take forcible possession of a record room assigned to the use of Clerk Lyman, who refused to surrender it. The clerk petitioned the court to settle the question of control of the building by a temporary injunction of the appraiser. The United States attorney appeared for the Treasury Department, which claimed jurisdiction. Mr. Benedict appeared for the clerk. The court held the case under advisement for some nine months. It held that the threatened dispossession would be an unlawful ousting of the court, its officers, and records, and the attempt was properly enjoined. The decision of the court is found in 55 Federal Reporter, 29, "In re Lyman."

The legal services were rendered to Mr. Lyman in his official capacity alone, but were actually in the interest of the United States, for which compensation should be provided. The claim is recommended for appropriation.

Very respectfully,

RICHARD OLNEY, *Attorney-General.*

The SECRETARY OF THE TREASURY.

NEW YORK CITY, *November 20, 1894.*

SIR: I have the honor to submit the inclosed bill of Robert D. Benedict, esq., of this city, for valuable legal service rendered to this office at a time of most pressing need, with the request that you will authorize the payment from the surplus of earnings of this office for the current half year.

I informed Mr. Benedict at the time his aid and counsel were sought that I would apply to the Department after the case was closed for leave to compensate him, as it was a case where I manifestly should not be held personally responsible for fees, and to this arrrangement he acceded. I think it now safe to say that no further action will be taken looking to a reversal of the decision of the court.

The opinion was rendered in March, 1893, and the Treasury Department has since that time taken no further action antagonizing my position in the matter; but, on the contrary, during the past six months it has so far acquiesced in the conclusion arrived at by the court as to erect at considerable expense a large number of additional cases for the voluminous bankruptcy records of this office, besides making no further claim to the room in controversy. Until this latter action was taken by the Treasury I have not felt justified in stating positively that I apprehended no further trouble from the respondent in that litigation.

Judge Brown's exhaustive opinion in the case has been reported to the Federal Reporter, vol. —, p. 29, in re Lyman, and I take the liberty of referring to it, for it contains a lucid statement of all the facts bearing upon the questions involved, besides giving a most interesting account of the nature of the tenure by which the United States courts held possession of the rooms which they occupy.

Briefly stated, it appears that one of the general appraisers, acting under instructions from the Treasury Department, which claimed exclusive jurisdiction, under acts of Congress, of all the rooms in the United States court and post-office buildings in this city, threatened to take forcible possession of one of the record rooms of this office, upon my refusal to surrender it. This action led to considerable correspondence between this office, the Department of Justice, and the Treasury Department. Although the Attorney-General, your predecessor, on learning the facts, remonstrated on behalf of this office with the Treasury Department against the course

the general appraiser was pursuing, his action was of no avail. Accordingly, knowing that the threats of dispossession were on the eve of execution, I drew a long petition setting forth the facts and applied to the court for a temporary injunction. This was granted, with an order to show cause why it should not be made permanent, and was served upon the general appraiser. The United States district attorney of this district, in obedience to a formal request made through the Treasury Department, was instructed to appear for the defense on the argument of the motion.

It was at this juncture that I felt the need of the assistance of able counsel to argue the case in court; not only because it was pending in the same court of which I was clerk, but the questions involved seemed to be very close; indeed, it was the opinion of many lawyers that the position I had taken was untenable. I therefore consulted Mr. Benedict, one of our oldest and ablest practitioners, and retained him, with the understanding as to the payment of fees above stated. The argument of the questions involved occupied the greater part of five days, and the court held the case under advisement some nine months after it was submitted, the injunction meanwhile continuing. The result was as appears in the opinion referred to, and the principle established that the dispossession threatened would be an unlawful ousting of this court, its officers, and records, and would amount to a contempt, and that the threatened attempt so to do was properly enjoined. At the close of the opinion, the court says:

"In a case like the present, where a disputed claim of right was involved, and it was the duty of the court to protect its possession and its records from assault, it was eminently proper that a notice and citation should be issued before the commission of the injurious act, in order that there might be previous judicial hearing and determination of the controverted question. No harm, but good alone, was thereby done to the respondents; while the interests of justice and of all concerned, made it specially proper that that mode of proceeding should be adopted. It was the duty of the clerk, on whom the safe-keeping of the papers and records of the court are imposed by law, and to the faithful performance of which he is sworn, as the appointee and officer of the court, to make known to the court the threatened interference and expulsion from one of its rooms. The issuing of a restraining order in reference to such a threatened contempt is as 'agreeable to the principles and usages of law' as the issuing of a writ of attachment after a contempt committed, and equally within the provision of section 716 of the Revised Statutes. (Vos *v.* Luke, 1 Cranch, C. C.; U. S. *v.* Williams, 4 Cranch, C. C. 372.)"

I also inclose a copy of Mr. Benedict's order which was submitted in the case after the close of the argument.

It seems unnecessary to suggest that the bill is very reasonable. It is less than half the charge for such services measured by the standard of legal fees prevailing in this city.

A large surplus from the earnings of the office, after paying all expenses, will be reported to the Department at the end of the year.

Respectfully,

SAMUEL H. LYMAN, *Clerk.*

HON. RICHARD OLNEY,
United States Attorney-General.

NEW YORK, *November 19, 1894.*

Samuel H. Lyman, clerk of the district court of the United States for the southern district of New York, to R. D. Benedict, Dr.

For the following services in the matter of his petition for injunction:		
June 3, 1892.	Retained to appear for the clerk, and received from him copy of petition and order to show cause. Examined petition, consulted repeatedly with the petitioner, and examined statutes and authorities.	
June 21, 1892.	Attended in court to argue the petition; argument begun and partly completed.	
June 22, 1892.	Continued argument and adjourned to the 23d.	
June 23, 1892.	Attended and continued argument and adjourned to 24th.	
June 24, 1892.	Argument adjourned to the 27th.	$250
June 27, 1892.	Attended, and argument closed. Pending this proceeding I went to Washington to the office of the Attorney-General in reference to the matter and was gone one day. Prepared long brief on the law and authorities and submitted the same to the court.	
July —, ——.	Examined briefs submitted in opposition to the petition. Prepared additional brief in favor of the petitioner and submitted same to the court.	

Received payment.

District court of the United States, southern district of New York. In the nature of the petition of Samuel H. Lyman, clerk, etc.

The presentation of the petition in this matter brings up for consideration the question of, What power has a court to protect itself? That is a question which must be largely determined by reference to elementary principles.

First. "The court," says Bouvier's Law Dictionary, "is an incorporeal political being, which requires for its existence the presence of the judges, or a competent number of them, and a clerk or prothonotary, at the time during which and at the time where it is by law authorized to be held." The function of a clerk seems, therefore, to be essential to the existence of a court as the functions of a judge. There must be not only the judge to hear and decide legal disputes, but also the clerk to record such matters.

The records of the court thus kept by the clerk are an essential part of the proceedings and jurisdiction of the court. They are such by the very meaning of the word "record." A record "signifies a roll of parchment upon which the proceedings or transactions of the court are entered or drawn up by its officers, and which is then deposited in its treasury in perpetuam rei memoriam." (Bouv. Law Dict., "Record.") A file is a record of the court, 16, "File."

Second. The functions of the clerk are thus essential to the existence of the court in the making and the preservation of the records, and are the object for which the office of clerk exists. It would seem to follow from the most elementary principles that it is not only within the power, but that it is the duty, of the court to exercise its powers for the due preservation of such records by the clerk for the purpose for which they are made.

Third. The above propositions are so elemental that it seems that the legislators who established the judiciary system of the United States did not deem it necessary to make any direct provision of law for that purpose. They left the matter to be inferred from what provisions they made and from the general idea of the powers of the court. So we find that there is no provision in the judiciary act of 1789 in reference to the accommodations of the court, whether for that part of the judicial function that was exercised by the judge or that part which was exercised by the clerks. They provided that the courts should have power to appoint their clerks, and that each clerk should take an oath that he would "truly and faithfully enter and record all orders, decrees, judgments, and proceedings of the said court," and that he would "faithfully and impartially discharge and perform all the duties of his said office." It will be noticed that this oath does not bind the clerk in terms to preserve the record after he has made it. Such preservation is only included in the general terms of "the faithful discharge and performance of the duties of his office."

I have not been able to learn how the expenses of conducting the courts of the United States were arranged for under that act of 1789. The first statutory provision that I find in reference to that matter is in the process act of May 9, 1792, section 4, which contains the provision that "there shall be paid to the marshal the amounts of the expenses for fuel, candles, and other reasonable contingencies that may accrue in holding the courts within his district, and the books necessary to record the proceedings thereof." This amount was to be included in the marshal's account, and after having been examined and certified by the court or one of the judges of it, was to be paid to the marshal out of the Treasury of the United States. This providing for a payment to the marshal of the expenses for the "reasonable contingencies that might accrue in holding the courts," very clearly included the expense of providing rooms in which the clerks should keep the files and records of the court in the books "necessary to record the proceedings thereof." The language of this section of the act of 1792 is contained in section 830 of the Revised Statutes, and seems to be the sole provision providing for the accommodations or expenses of the courts.

Fourth. There are, however, some other statutes which bear upon the question In the Revised Statutes, section 562, it is provided that "the records of the district court shall be kept at the place where the court is held." This provision that the records shall be kept, clearly implies the necessity of a place in which to keep such records in such wise that the purposes for which they are kept shall be subserved. Again, section 4992 of the Revised Statutes provides as follows: "The proceedings in all cases of bankruptcy shall be deemed matters of record, but the same shall not be required to be recorded at large, but shall be carefully, filed, copied, and kept in the office of the clerk of the court, and the docket only, or short memorandum kept in the books provided for that purpose which shall be open for public inspection;" and by section 5000 of the Revised Statutes, the memoranda are to be made by the registrars in bankruptcy and the certified copy thereof forwarded to the clerk of the district court, which certified copy "shall be entered by the clerk in the proper minute book to be kept in his office."

Fifth. These provisions, taken together, show by necessary implication that it is

the duty of the court to keep the records of the proceedings with proper care that they may be accessible to the public for a perpetual memory. It is manifest that there is implied by them the power of the court to direct the marshal, its officer, to furnish proper accommodations, and to provide necessary books for the recording of its proceedings and necessary means for preserving them, and to order the marshal, as officer of the court, if provision has not been made in some other way, to provide the necessary rooms and accommodations for such preservation of its records.

Sixth. If the above views are correct, it follows that it is the duty of this court to see to it that the necessary room for the proper preservation of its records is provided; and it must follow that it is its duty as a court to exercise its powers as a court to prevent any interference with rooms requisite for the necessary preservation of such records. If it is a public room, which is necessary for such purpose, and if any unauthorized person proposes to interfere with the occupation of such room, it seems to be the duty of the court to exercise its powers to prevent such interference.

Seventh. It is not contradicted in the papers before the court that the room and accommodations which are now occupied by the clerk of the court, and which the custodian of this building and the other parties named in the petition threaten to take possession of, are necessary to said clerk for the performance of his duty of keeping the records of this court. But it is suggested in opposition to the petition that there is an authority in the Secretary of the Treasury which is paramount to that of the court, and which authorizes the Secretary of the Treasury to remove from any portion of the building the records of this court, and to deprive the clerk of the court of the accommodations which had been assigned to him and which are necessary for the due performance of his duties.

Eighth. If the Secretary of the Treasury has such paramount authority over these rooms in this building he must have an equal authority over all of them. It must be as much within his power to order the judge of the court to give up his chambers or his court room, which are necessary for the due performance of his part of the functions of the court, as to order the clerk to give up the accommodations which are necessary for the clerk's performance of his duties in such court. It is quite manifest that no such power could properly be implied. It must be a power expressly conferred upon the Secretary of the Treasury by statute.

Ninth. Now no such express statute has been or can be pointed out. The only statutes referred to in the letter of the Secretary of the Treasury of May 7, 1892, to Mr. Van Cott, in his affidavit to fully set forth the position of the Treasury Department in the present matter, are the following:

The specific acts of Congress authorizing the acquisition of this site and the erection thereon of this building "for the United States court-house and post-office, New York, N. Y.," are first mentioned. It is to be noted that the wording of the first act of 1867 (4 U. S. Stat. L., pp. 563, 564) is for the appointment of a commission to purchase the site for a building "to accommodate the post-office and United States courts in the city of New York."

It is difficult to see how any construction can be given to that statute which would authorize the Secretary of the Treasury to take away accommodations from the United States courts. On the contrary, the proposition of the act would seem to be directly opposed to the interference with the clerk which is now threatened. No other statute of the United States is referred to in the said letter of the Secretary of the Treasury specifically, but general acts making appropriations for repairs and preservation of the building are referred to. I think that no language can be found in any of the general acts which will, by any fair construction, give to the Secretary of the Treasury any power whatever, except for the repairs and preservation of said building. And this action of the Secretary of the Treasury which is in question would have nothing to do with either repairs or preservation. Or even if, as in some of the statutes, certain buildings are spoken of as being "under the control" of the Treasury Department, that would be very far from giving to the Treasury Department the power to eject the courts of the United States from accommodations already occupied by them.

Tenth. The affidavit of Mr. Van Cott also sets up certain instructions to custodians of public buildings, issued by the Treasury Department, from which he quotes two provisions, section 36: "No assignment of rooms in the building should be made without special authority from this Department." "As soon as any room is vacated, the Department should be immediately notified." The fair inference from these two instructions would seem to be that no authority could be claimed by the Treasury Department to assign any room in the building unless such room had been vacated; and that, even when the room had been vacated, no assignment of it could be made by the custodian without special authority. It is a very wide step from these provisions to any right of the Department to authorize the expulsion from any room in the building of a court of the United States, for whose special accommodation the building was erected.

Eleventh. The district attorney, in his oral argument, referred also to the act of 1891 (26 Stat. L., 829). He drew from the wording of this statute the argument that the Secretary of the Treasury had absolute control over this building. To me the language of the act seems to warrant the opposite conclusion. For section 9 of that act provides that the marshal of the district shall "under direction of the Attorney-General of the United States, and with his approval, provide such rooms in the public buildings of the United States as may be necessary for the circuit court of appeals," and provides also that in case proper rooms can not be provided in such buildings, then the marshal, with the approval of the Attorney-General, may lease such rooms as are necessary. This statute, as it seems to me, is in direct line with the system which seems to have prevailed from the foundation of the Government, under which the marshal of the district is directed to provide for the necessary accommodation of the court. And the fact that the marshal is directed to do this, in the case of the court of appeals, "under direction of the Attorney-General," seems to me to furnish the strongest inference against the exclusive claim now set up in behalf of the Secretary of the Treasury.

It seems impossible to me that if it was understood that the Secretary of the Treasury had absolute control of this building, the marshal of this district should have been directed to provide accommodations for the circuit court of appeals, under the direction of the Attorney-General, and with his approval. The failure to mention the Secretary of the Treasury in that act furnishes the strongest inference that it was not the understanding of Congress that the matter of the court rooms in this building was under the sole, exclusive control of the Secretary of the Treasury.

Twelfth. The argument, then, from the statutes proves to be in brief as follows:

(*a*) There is no statute which gives to the Secretary of the Treasury exclusive power in reference to the rooms occupied by this court.

(*b*) The matter of providing rooms for the accommodation of the court has been, from the foundation of the Government, under the control of the court and the marshal as its officer.

(*c*) When the matter of providing accommodations for the new court was under consideration the same system was followed, namely, that the marshal should provide the necessary accommodations. And this he was ordered to do, not under the direction and approval of the Secretary of the Treasury, but of the Attorney-General.

(*d*) There are statutes providing for the appropriation of moneys for "repairs and preservation" of public buildings of the United States, and in some of the statutes such buildings are spoken of as being "under the control" of the Treasury Department. If there were no statutes to be considered, except these appropriation bills, it would be a reasonable and fair consideration of them to confine the control of such public buildings to their repair and preservation.

(*e*) This simple expression "of buildings under the control of the Treasury Department" does not warrant the inference now sought to be drawn from it. In the face of the other statutes and of the universal practice of the Government, the opposite inference is the more reasonable one, viz, that the courts, in the absence of any other proceeding of law, have the power to direct their own officers, namely, the marshals, to provide the necessary accommodations for their business. It follows from this that the courts are primarily to determine what are the accommodations that are necessary for their business; and that there is no power given to the Secretary of the Treasury to overrule the determinations of the court in that regard. Especially must it be held that where, as in the present instance, the accommodations for this court have been provided for, by whatever direction and by whatever power, and where the use of such accommodations has been acquiesced in by the Treasury Department ever since the erection of this building, there is no power to be found in any statute which authorizes the Secretary of the Treasury to withdraw his former acquiescence, and because he desires to devote to some other use accommodations hitherto devoted to the court, to eject the court from its present accommodations or any part thereof.

Thirteenth. It is not even suggested in opposition to this motion that this exercise of power which is claimed on behalf of the Secretary of the Treasury is anything but the arbitrary exercise of power. It is not denied that this site was purchased and this building erected "for the accommodation of the United States court and the post-office." It is nowhere alleged, nor can it be alleged, that no portions of this building have been devoted to other purposes than those above mentioned. It is therefore not alleged that the ejection of the clerk from the rooms at present occupied by the court for the preservation of its records is required. It is manifest that if the building was exclusively devoted to the purposes for which it was built, there would not be the slightest necessity for any person to interfere with the rooms now occupied by this court.

Fourteenth. The suggestion was made upon the argument that the proceedings taken by the clerk is not authorized by statute and must be therefore dismissed. If I am right in the view which I have taken of this case, that it is in the power of

the court to protect itself, there is no necessity for any statute authorizing such proceeding. The clerk, being an integral part of the court, is authorized to bring to the attention of the judge matters necessary for the protection of his department of the court itself, without bringing any specific action, either at law or in equity.

It is the duty of the officers of the court to bring to the attention of the court matters which relate to the protection of such officers and naturally by petition. It would be extraordinary to require that court, in order to protect itself, must bring an action before itself against parties who seek to injure it. It is sufficient that the matters are brought before the court by its officer in an orderly way. The presentation of a petition to the court, and the obtaining thereupon of an order to show cause in order that the parties affected might have an opportunity for hearing, is certainly an orderly and proper mode of procedure.

Fifteenth. It is suggested that the court has no power on such a petition to issue an injunction. But the seven hundred and eighteenth section of the Revised Statutes authorizes the court to issue "all writs not specifically provided for by statute which may be necessary for the exercise by their respective jurisdictions." The due preservation of the records of the court is certainly a part of its jurisdiction; and if it is shown to be necessary, in order to the preservation of the records of the court, that the parties who seek to interfere with such preservation shall be enjoined from so doing, the writ of injunction is certainly provided for by this section.

Sixteenth. It seems also that this proceeding is within the scope of section 725 in reference to contempts of court. The statute (Rev. Stat., 725) gives this court the power to punish contempts of its authority. The proviso attached thereto is that such power "extends to any cases of misbehavior of any person in their presence or so near thereto as to obstruct the administration of justice." It seems to me that the attempt of a person to eject the judge from his court room, or the clerk from the rooms necessary for the preservation of the records, which it is his duty duly to keep, is a "misbehavior." And it is misbehavior so near to the presence of the court "as to obstruct the administration of justice," for it would be a very narrow construction of the words "obstruct the administration of justice," which would not include the turning into the street of the clerk of the court and the scattering abroad of the records in his charge. And yet authority to do this is the claim that is made in opposition to this application. No reason being suggested why the removal of the clerk from his present rooms is necessary, reasonable, or even desirable, nothing being suggested except the determination to eject him, and no other accommodations whatever being provided for him or offered to be provided, it is manifest that the claim that is here made must be that there is power to eject the clerk or the judge from the rooms now occupied, or from all the rooms in this building, at the arbitrary will of the Secretary of the Treasury. Such a claim, I am confident, could never be conceded unless some more stable foundation could be shown than inference drawn from a phrase in an appropriation bill.

Seventeenth. It was suggested that this application was premature, and that the clerk should have waited till he had been ejected from the rooms before bringing the matter to the attention of the court.

A similar suggestion was made in regard to the steps taken in advance for the protection of Judge Field (In re Nagle, 135 U. S., 1), but the Supreme Court said (p. 59): "If a person in the situation of Judge Field could have no other guaranty of his personal safety * * * than the fact that if he was murdered his murderers would be subject to the laws of a State, and by those laws could be punished, the security would be very insufficient."

So here, if the court has no power to protect itself from being ejected from the accommodations which it occupies, except by what can be done after it has been ejected, its security would be very insufficient.

It would seem the only reasonable way, on the contrary, if the intention so to eject it becomes known to it in advance, that the court should exercise whatever power it has for its own protection in advance.

And if it would be in the power of the court to treat parties who should have without authority actually ejected it from its accommodations, as having been guilty of a contempt of court, no earthly reason can be suggested why it should not have the power to order the parties to refrain from such action, if their intention so to do became known to it in advance.

Eighteenth. The remark made by the assistant district attorney on the oral argument that this matter ought not to have been presented to the court, because there was no reason to suppose that any application of the clerk for further accommodations would not be properly regarded by the Treasury Department, calls for two suggestions:

(1) In the face of the letter from the Treasury Department to Mr. Lyman, which is attached to the opposing affidavit, in which his addressing the Treasury Department at all in reference to the matter is treated as being an offense calling for animadversion, and in which the official position of clerk of this court is so strangely

misconceived, it is a sufficient reply to the suggestion to say that the action of the officials of the Treasury Department speaks more loudly than the words of the assistant district attorney.

(2) In the second place, that remark reverses the proper situation. It was the duty of the Treasury Department, even if it had all the power it claims, before proposing to eject the clerk, to have itself provided for the court, such as the court should say were adequate after a conference had with the court by the Treasury Department.

Nineteenth. I have presented the above considerations, not in the ordinary attitude of a counsel for a party to a litigation. The question is one of the rights and powers of the court, and I have considered it as amicus curiæ.

And I say, without hesitation, that the court, having a due regard to its own independence and dignity, ought not to yield to this claim of power arbitrarily to dispossess it or any part of it from the accommodations which it occupies. Such a power in any of the Departments of the Government outside of the judiciary would be dangerous to the independence of the judiciary, which independence it is of the utmost importance for the interests of the country to preserve, free from assault, interference, or menace.

R. D. BENEDICT.

JUNE 28, 1892.

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 183.

MR. A. WATT AND MR. E. A. MITCHELL.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

Copy of a communication from the Secretary of State relating to an appropriation to reimburse Messrs. A. Watt and E. A. Mitchell, of Newcastle, New South Wales.

JANUARY 29, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
January 28, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of State of the 25th instant, and its inclosures, looking to an appropriation to reimburse Mr. A. Watt and Mr. E. A. Mitchell, of Newcastle, New South Wales, for losses sustained by each through the payment of certain drafts illegally drawn on the Secretary of State and Secretary of the Treasury by Mr. George T. Baggs, late United States commercial agent at Newcastle, New South Wales, and purporting to be on account of the business of the United States Government, aggregating $2,170.62, together with interest thereon to date of final settlement of the claims by the Treasury Department.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE,
Washington, January 25, 1896.

SIR: I have the honor to transmit herewith, for your information and consideration, a copy of a note dated the 7th instant from the British ambassador at this capital, respecting three unpaid drafts drawn on the United States Treasury by George T. Baggs, late United States commercial agent at Newcastle, New South Wales; one for $1,100, dated January 6, 1893; one for $160.59, dated April 4, 1893, and one for

$910.03, dated April 6, 1893, all said drafts purporting to be on account of the business of the United States Government.

As a matter of fact, all said drafts were illegally drawn on the United States Treasury, and were protested for nonpayment. There was nothing on the face of the drafts to throw suspicion upon them, and as they were drawn by an officer accredited by this Government, it would seem to be proper that Mr. A. Watt and Mr. E. A. Mitchell, who advanced the money on them, should be indemnified for their losses.

I beg to request therefore that the matter be submitted to Congress with a recommendation that an appropriation be made for the payment of the sums due Messrs. Watt and Mitchell, with interest thereon to the date of the final settlement of the claims by the State Department.

In this connection reference is hereby made to the letter of the Secretary of State of the 13th of February, 1889, to the Secretary of the Treasury in regard to a claim of a similar character made by Messrs. Bywater, Tanqueray & Co., of London, which was allowed by Congress by the act approved March 2, 1889. (See U. S. Stat. L., vol. 25, p. 906.)

I have the honor to be, sir, your obedient servant,

RICHARD OLNEY.

The SECRETARY OF THE TREASURY.

BRITISH EMBASSY,
Washington, January 7, 1895 [*6*].

SIR: I have the honor to forward to you herewith, in original, the sworn depositions of A. Watt and E. A. Mitchell, respecting three unpaid drafts drawn on the United States Treasury by Mr. George T. Baggs, ex-United States commercial agent at Newcastle, New South Wales.

The government of that colony ask that steps may be taken to obtain a refund of the amounts owing, and I venture, therefore, to lay the case before you for the favorable consideration of your Government.

I have the honor to be, with the highest consideration, sir,

Your most obedient, humble servant,

JULIAN PAUNCEFOTE.

Hon. RICHARD OLNEY, etc.

RE G. T. BAGGS.

I have read the attached statement made by Mr. E. A. Mitchell, manager of the Bank of New South Wales at Newcastle, dated April 8, 1895, and confirm same so far as regards draft for $910.03 presented on or about April 6, 1893.

The £90 referred to in said statement is still due and owing to me.

At the time Mr. Baggs wanted Mr. Mitchell to negotiate draft for $910.03 he distinctly stated to Mr. Mitchell that so long as there was one cent in the United States Treasury this draft could not be dishonored, and I verily believe that it was due to that statement that Mr. Mitchell discounted for me Mr. Baggs's promissory note for £90, as we considered that the draft was drawn on the United States Treasury and unchallengable.

Dated at Newcastle this 8th day of April, 1895.

A. WATT,
Proprietor of Great Northern Hotel, Newcastle.

Sworn before me at Newcastle, New South Wales, the 9th day of April, 1895.

[SEAL.]

STEWART KEIGHTLY,
United States Vice-Commercial Agent, Newcastle, New South Wales.

Statement made by E. A. Mitchell, manager of the Bank of New South Wales, Newcastle.

On January 6, 1893, I negotiated for Mr. G. T. Baggs his draft on the Secretary of the Treasury at Washington at fifteen days, for $1,100, or £226 9d., purporting to be for payments made on account of distressed American seamen, and signed usual exchange voucher with particulars of draft, etc.

On April 4, 1893, I negotiated a draft, at fifteen days, for $160.59, or £33, on Secretary of State, purporting to be for and on behalf of the United States Government.

On or about April 6, 1893, Mr. Baggs wanted me to negotiate his draft on the Secretary of the Treasury for $910.03, or £187. This I declined to do, as I had no advice of facts of that for $1,100, but took the draft as collateral security for promissory note for £90, made by G. T. Baggs and discounted for Alexander Watt, to whom amount was due. This draft purported to be on account of advances to distressed American seamen, and the amount of £90 was to be a first charge when draft was collected.

The three drafts were drawn in accordance with regulations 535 and 560 in Book of Instructions to Consular Agents and bore the official stamp, all being in order and every precaution taken by me. I was surprised to hear of their dishonor.

The drafts have been twice presented and are still unpaid.

E. A. MITCHELL,
Manager Bank of New South Wales, Newcastle, New South Wales.

NEWCASTLE, this 8th day of April, 1895.

Sworn before me at Newcastle, New South Wales, the 8th day of April, 1895.

[SEAL.]

STEWART KEIGHTLY,
United States Vice Commercial Agent, Newcastle, New South Wales.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 184.

GEORGETOWN DOCK, BARGE, ELEVATOR, AND RAILWAY COMPANY.

ANNUAL REPORT OF THE GEORGETOWN DOCK, BARGE, ELEVATOR AND RAILWAY COMPANY.

JANUARY 29, 1896.—Referred to the Committee on the District of Columbia and ordered to be printed.

[Hamilton & Colbert, attorneys and counselors at law, 512 F street NW.]

WASHINGTON, D. C., *January 28, 1896.*

DEAR SIR: We beg to inclose you herewith the annual report of the Georgetown Dock, Barge, Elevator, and Railway Company, in compliance with the act of Congress which granted the charter to said company.

Very respectfully,

HAMILTON & COLBERT.

Hon. THOMAS B. REED,
House of Representatives, Washington, D. C.

To the Senate and House of Representatives of the United States in Congress assembled:

The Georgetown Dock, Barge, Elevator, and Railway Company, a corporation incorporated by act of Congress approved September 26, 1888, in pursuance of the fifth section of the said act of incorporation, respectfully submits the following report:

The stock of said company, consisting of 500 shares, is held as follows:

	Shares.
William H. Manogue, of the District of Columbia	5
Joseph J. Darlington, of the District of Columbia	1
Walter S. Harban, of the District of Columbia	1
William H. Hoeke, of the District of Columbia	1
Robert B. Tenney, of the District of Columbia	1
Joseph G. Waters, of the District of Columbia	1
Thomas M. Gale, of the District of Columbia	1
Edward J. Stellwagen, of the District of Columbia	1
The Mercantile Trust Company, of New York	485
The Baltimore and Ohio Railroad Company	3
Total	500

There have been no expenditures and no receipts for the year ending December 31, 1895.

The GEORGETOWN DOCK, BARGE, ELEVATOR, AND RAILWAY COMPANY.
By EDWARD J. STELLWAGEN, *President,*
W. S. HARBAN, *Secretary.*

The undersigned, Edward J. Stellwagen and Walter S. Harban, president and secretary, respectively, of the Georgetown Dock, Barge, Elevator, and Railway Company, on oath state that the facts contained in the foregoing report are true as therein stated.

EDWARD J. STELLWAGEN.
W. S. HARBAN.

Subscribed and sworn to before me this 27th day of January, A. D. 1896.

SEAL.]

ALBERT W. SIOUSSA,
Notary Public, District of Columbia.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 185.

COMPOSITE SAILING VESSELS FOR THE UNITED STATES NAVAL ACADEMY.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

An estimate of an appropriation for two composite sailing vessels for the United States Naval Academy.

JANUARY 30, 1896.—Referred to the Committee on Naval Affairs and ordered to be printed.

TREASURY DEPARTMENT, *January 29, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate of appropriation for two composite sailing vessels for the United States Naval Academy, $500,000, as submitted by the Secretary of the Navy under date of the 28th instant.

Respectfully, yours,

C. S. HAMLIN, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NAVY DEPARTMENT,
Washington, January 28, 1896.

SIR: I have the honor to inclose herewith, for transmission to Congress, an estimate of appropriation for two composite sailing vessels for the United States Naval Academy, amounting to $500,000, together with a copy of a letter from the Superintendent of the Naval Academy in relation thereto.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE TREASURY.

UNITED STATES NAVAL ACADEMY,
Annapolis, Md., January 22, 1896.

SIR: It is with great regret that I learn from the Book of Estimates of Appropriations for 1896–97 that the item for two sailing practice vessels for the Naval Academy has been omitted.

I desire once more to ask the attention of the Navy Department to the positive necessity which exists for the more thorough training of naval cadets in practical seamanship. The only vessel that is at the disposal of the Navy Department for the service of the Academy is the *Monongahela*, which is performing that duty now, but this vessel can be considered in no other light than a temporary makeshift, having no other qualities to adapt her for the purpose than that she is a safe and commodious craft to put the cadets afloat on the deep sea for the period allotted to a practice cruise.

This is a converted steamer and not a handy, smart ship, on board of which the finest elements of seamanship can be taught. She simply answers the purpose of transferring the cadets into a sea atmosphere after the academic year is completed. She is simply a makeshift, and no education can be perfected by the use of makeshifts, and it can not be believed that the Congress of the United States would hesitate for an instant to appropriate money to supply its great national institution with the proper facilities for carrying on its avowed object, the efficient training of its future naval officers.

There never has been an epoch in the existence of the United States Navy when true seamanship is more essential in the equipment of a naval officer than in this day of great battle ships and armored cruisers, seamanship which can not be taught on board of steam practice vessels or unwieldy converted steamers.

This subject is of such great importance from my point of view as Superintendent of the Naval Academy, that I venture to bring it before the Department, urging that the item may be inserted in the naval appropriation bill, and that it may then be supported by the strong influence of the Secretary of the Navy.

Very respectfully,

P. H. COOPER,
Captain, United States Navy, Superintendent.

CHIEF OF THE BUREAU OF NAVIGATION,
Navy Department, Washington, D. C.

[First indorsement.]

DEPARTMENT OF THE NAVY,
Bureau of Navigation, January 25, 1896.

Respectfully referred to the Secretary of the Navy, with the recommendation that the request of the Superintendent of the Naval Academy may receive favorable consideration.

F. M. RAMSAY, *Chief of Bureau.*

Estimate of appropriation required for the service of the fiscal year ending June 30, 1897, by the Bureau of Construction and Repair, Navy Department.

Increase of the Navy, construction and machinery:

For two composite sailing vessels of 1,100 tons displacement for the Naval Academy; estimated cost, including outfit, each, $250,000 (submitted) $500,000

54TH CONGRESS. } HOUSE OF REPRESENTATIVES. { DOCUMENT
1st Session. } { No. 187.

PRELIMINARY EXAMINATION OF CLARION RIVER, PENNSYLVANIA.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, a report of preliminary examination of Clarion River, Pennsylvania.

JANUARY 30, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 29, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers dated January 17, 1896, together with a copy of report from Maj. R. L. Hoxie, Corps of Engineers, dated December 12, 1895, of a preliminary examination made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Clarion River, Pennsylvania.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 17, 1896.

SIR: I have the honor to submit the accompanying report by Maj. R. L. Hoxie, Corps of Engineers, dated December 12, 1895, of a preliminary examination of Clarion River, Pennsylvania, made to comply with the provisions of the river and harbor act of August 17, 1894.

Major Hoxie considers the river to be worthy of improvement by the General Government to the extent of removing rocks and other obstructions from the channel and his views are concurred in by Col. H. M. Robert, Corps of Engineers, division engineer, and by me. No survey is needed for the purpose of submitting plan and estimate for this improvement.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

PRELIMINARY EXAMINATION OF CLARION RIVER, PENNSYLVANIA.

UNITED STATES ENGINEER OFFICE,
Pittsburg, Pa., December 12, 1895.

GENERAL: In compliance with instructions from the Chief of Engineers, dated August 20, 1894, and in conformity with river and harbor act of August 17, 1894, I have the honor to submit the following report upon the preliminary examination of Clarion River, Pennsylvania:

An examination of this river was made under the direction of Col. Wm. E. Merrill in 1881, in conformity with the river and harbor act of March 3, 1881. Colonel Merrill considered at that time that until the Allegheny River had been radically improved, there was but small need of improvement of its tributaries, except to keep open navigation by the removal of rocks and similar obstructions * * *. At that time the slack-water improvement of the Clarion River had been suggested. (See Report of the Chief of Engineers for 1882, part 3, p. 1938.)

The examination which has been made under my direction by Mr. J. W. Arras, whose report is transmitted herewith, shows but little change in the situation since the date of Colonel Merrill's report. In my opinion, the Clarion River is worthy of improvement by the General Government, as suggested by Colonel Merrill, to the extent of removing rocks and other obstructions from the channel, and that no survey is needed for the purpose of submitting plan and estimate for this improvement. The "facts and reasons" upon which this opinion is predicated are as follows: The Clarion River is second in the order of area drained of the tributaries of the Allegheny; the Kiskiminetas, Clarion, and French rivers having drainage areas, respectively, of 1,731, 1,134, and 1,112 square miles. It is first, however, in the order of commercial importance, having an annual tonnage of about 125,000 tons, while Tionesta Creek has about 31,000, and Cheat River, a tributary of the Monongahela, for the improvement of which $13,000 has been appropriated, has a tonnage of about 13,000.

The character of the products floated by these streams is about the same in each; lumber, timber, bark, boat bottoms, and farm products. It is estimated that during the past thirty-five years there has been an average annual shipment on the Clarion River of 40,000,000 feet, B. M., of sawed lumber, 3,000,000 cubic feet of logs and square timber, and 514 coal-boat bottoms, besides large quantities of other products of which no estimate can be had. The output during the past year comprised 800 boat bottoms and 74,125,000 feet, B. M., of lumber, timber, etc. It is estimated by those who are well informed that this annual output can be maintained indefinitely, since it does not exceed the rate of reproduction of the standing timber. The Clarion furnishes a large proportion of the commerce of the Allegheny River, and its products are a very important factor in the business of the transportation of Pittsburg coal. Navigation upon the Clarion, which has a fairly uniform slope of about 5 feet to the mile, is dependent upon high water in the river. A rise sufficient to give safe navigation over the bowlders which obstruct the channel is of comparatively short duration and not sufficient for the purposes of navigation. A moderate rise, which is ordinarily of much longer duration, would suffice, if these movable obstructions were removed.

A total appropriation of $217,500 has been made up to date for the removal of such obstructions in the Allegheny River, in connection with the construction of dikes, low dams, bank protection, etc., for open-river navigation, and it seems desirable to extend this class of work,

to the extent of removing obstructions, to the channel of this important tributary.

Very respectfully,

R. L. HOXIE,
Major of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.
(Through the Division Engineer, Northwest Division.)

[First indorsement.]

U. S. ENGINEER OFFICE,
NORTHWEST DIVISION,
New York, January 15, 1896.

Respectfully forwarded to the Chief of Engineers, United States Army.

For the reasons stated by Major Hoxie I concur with him in the opinion that Clarion River, Pennsylvania, is worthy of improvement by the United States to the extent of removing rocks and other obstructions. Major Hoxie also states that no survey is necessary to the formation of a project.

HENRY M. ROBERT,
Colonel of Engineers, Division Engineer.

REPORT OF MR. J. W. ARRAS, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Pittsburg, Pa., November 26, 1895.

MAJOR: I have the honor to submit the following report on the preliminary examination of Clarion River, Pennsylvania, required by the river and harbor act of August 17, 1894, made under your direction in the month of August last:

Clarion River rises in McKean County, Pa., near one of the sources of the Allegheny River, which stream it parallels on the eastern side, joining it about 1 mile above the town of Parker, 84 miles above Pittsburg. It has a drainage area of 1,134 square miles, and in point of volume ranks second of the three larger tributaries of the Allegheny, namely, Kiskiminetas and Clarion rivers and French Creek, the former draining an area of 1,731 square miles, and the latter 1,112 square miles. In commercial importance it, however, unquestionably holds first place, and may safely be said for several years to have contributed more to the commerce of the Allegheny River than the combined shipments of all other of its tributary streams save Tionesta Creek.

The capacity of Clarion River for the downstream transportation of timber and its products constitutes its importance as a commercial highway. Few shipments are now made from points above Hallton, at the mouth of Spring Creek, 69 miles above the mouth of the river, and practically none from above Ridgway, 84 miles above the mouth, the valley above Hallton being traversed by railroads with ample facilities for transporting all of the timber, as well as mineral, products. Below Hallton, however, manufacturers are still almost entirely dependent on the waters of the Clarion for an outlet for their product. Although the stream is tortuous and steep, yet its slope is quite regular, the average descent per mile over the portion now navigated being about 6 feet. Its average width between banks from Hallton to the mouth is about 450 feet, and its depth on shoals during freshets from 10 to 12 feet. At low water there is a depth of about 9 inches on the shoals. The river bed is filled with bowlders of various sizes and the stream is therefore naturally adapted to the transportation of timber and its products only when the stage of water exceeds that at which these bowlders impede or obstruct the passage over them of rafts or boat bottoms, in which form shipments by water on the Clarion are always made.

From a careful investigation of these rock obstructions I have no hesitation in stating that their presence on the shoals deprives navigation of fully 2 feet in depth of what, with their removal, would be navigable water. Were the periods of navigable stages in the Clarion in its unimproved condition of sufficient duration to run out the product of the valley the necessity for improvement could hardly be said to exist. But such, unfortunately, is not the case. Formerly spring and autumn freshets of considerable duration rarely failed, and even summer rises were not unfrequent. For several years, however, the annual rainfall of western Pennsylvania has been growing gradually less, and in consequence the spring and fall freshets have been of short duration, when, indeed, they occurred at all. When this feature

of the weather first became noticeable, it was believed to be only temporary, and that it would soon give way to the regular order of weather conditions. This conclusion, however, has not been verified, and each year the season of natural river navigation has shortened, until in the present year the Clarion has not put out water in sufficient quantities to permit of navigation, in the stream's present condition, from the latter part of the month of April until now.

Under such conditions navigators are compelled, on the occurrence of a navigable stage, to employ their efforts to transport their product to the market beyond a safe limit, and thus large amounts of property are stranded on the rocks, where frequently they remain until incased in ice, usually resulting in a partial, if not total, loss. Notwithstanding, however, the unusual scarcity of navigable stages in the Clarion during recent years, yet there have been frequent slight rises which, with the rocks removed from the shoals, would have permitted the transportation of a very large portion of the lumber awaiting shipment from time to time. These lesser stages of water, particularly in mountain streams where the waters from heavy rainfalls pass off quickly, are necessarily of much longer duration than the higher ones, and hence every additional inch in depth that may be derived contributes very largely to the value of the stream for navigable purposes.

From Hon. G. W. Kribbs, late Representative to Congress from the Clarion district, and from many of the leading lumber manufacturers of the Clarion Valley, who were instrumental in procuring the making of this examination, I was informed that the sole object they had in view was to secure the removal of the mass of bowlders which cause so much destruction of property and loss to the lumber shippers of that locality. They realized that the present demands of navigation would not justify the creation of slack water, nor perhaps even the erection of adjustable dams to assist downstream navigation; but the cost of reducing natural asperities, thus materially lengthening the period of safe navigation by enabling navigators to utilize the discharge of the stream to the lowest possible level, would, in their estimation, be a small item as compared with the vast benefits to be derived, and would meet the principal requirements of navigation for many years.

Undoubtedly no other stream has contributed so large an amount of timber and its products to the commerce of the Allegheny or Monongahela river as has the Clarion. Messrs. W. D. & S. H. Shields, an old and reliable lumber manufacturing firm of Clarington, Pa., have furnished me with a conservative estimate in which they state that during the past thirty-five years there have been shipped on the Clarion River 1,400,000,000 feet, B. M., of sawed lumber, 105,000,000 cubic feet of logs and square timber, and 18,000 coal-boat bottoms, besides enormous quantities of shingles, laths, palings, staves, railroad ties, brace poles, check and pit posts, bark, etc., of which not even an approximate estimate could be had.

The following tabulated statement of the present annual commercial movements on Clarion River has been carefully compiled from reliable information gathered from the leading shippers of timber and lumber on that stream. For valuable assistance rendered to enable me in securing this information I am indebted to Messrs. Shields Bros., Hall, Gardner & Co., A. Cook & Sons, R. Rulofson, S. W. & E. M. Wilson, Heeter Bros., Neely Bros. & Bell, and other of the principal lumber manufacturers of the Clarion Valley. There are also given in this statement, for the purpose of comparison, the present annual shipments of Tionesta Creek, a tributary of the Allegheny, next in importance to the Clarion from a commercial point of view, for the improvement of which aid from the Government has also recently been asked, and of Cheat River, the principal commercial tributary of the Monongahela River, for the removal of obstructions, in which $13,000 were appropriated in the river and harbor act of September 19, 1890:

Article.	Designation.	Clarion River.		Designation.	Tionesta Creek.		Designation.	Cheat River.	
		Quantity.	Tons.		Quantity.	Tons.		Quantity.	Tons.
Barges	.....	.....	.....	Number ..	90	4,860	.....	.....	.....
Bark	Cords	4,200	4,200	.....	.....	.....	.....	.....	.....
Boats, coal	Number ...	800	28,800	Number ..	160	5,760	.....	.....	.....
Hay	Tons	.....	500	.....	.....	.....	.....	.....	.....
Laths	Number ...	4,000,000	500	Number ..	3,500,000	437	.....	.....	.....
Lumber, rough	Feet, B. M .	24,000,000	31,000	Feet, B.M.	15,000,000	18,000	.....	.....	.....
Palings	Number ...	200,000	51	.....	.....	.....	.....	.....	.....
Piles	Linear feet.	200,000	2,625	.....	.....	.....	.....	.....	.....
Poles, brace	Number ...	100,000	3,000	Number ..	3,000	90	.....	.....	.....
Posts, check	Number ...	3,000	1,500	Number ..	300	150	.....	.....	.....
Posts, pit	Number ...	180,000	4,500	.....	.....	.....	.....	.....	.....
Shingles	Number ...	2,000,000	200	Number ..	1,000,000	100	.....	.....	.....
Ties, railroad	Number ...	10,000	875	.....	.....	.....	.....	.....	.....
Timber	Cubic feet .	2,400,000	48,000	Cubic feet.	100,000	1,562	Cubic feet.	438,666	13,160
Total	.....	.....	125,751	.....	.....	30,959	.....	.....	13,160

For what length of time the valley of the Clarion will continue to furnish its present large annual output can necessarily only be conjectured, since no estimate of the timber now standing can be had. However, those most familiar with the region give it as their opinion that twenty-five years will not suffice to exhaust, at the present rate, the standing timber now marketable, which must be transported by water, and that by the expiration of that time the new growth now coming on will have replenished the depleted forests.

Perhaps the most important item of trade on the Clarion River, and one deserving of special note in the consideration of its improvement, is that of coal-boat bottoms. These are specially designed for the coal trade of the Monongahela, Ohio, and Mississippi rivers. Their length is usually 176 feet and width 26 feet. The bottom gunwale strake is made of timber of the greatest possible depth and length, such as it would be very inconvenient and expensive, if not wholly impracticable, to ship by rail. When the bottoms arrive at Pittsburg they are "sided up" to a height of about 9 feet, making their capacity for the transportation of coal about 26,000 bushels.

The Monongahela River coal trade demands about 1,000 bottoms per year, and depends almost entirely upon the Clarion to furnish them, since, aside from the Tionesta Valley, there are very few if any localities within a reasonable distance of navigation in either the Allegheny or Monongahela rivers or their tributaries where there is sufficient timber of the class and dimensions required for the construction, even for a few years, of the coal boats needed. Aside from the coal boat, which, except the bottom, is a mere shell, the only other vessel largely used for the transportation of coal on the Monongahela, Ohio, and Mississippi rivers is the "barge." While in general design these vessels do not differ widely, the barge is of much heavier and better construction, its gunwales consisting of heavy timbers throughout, making it much the more substantial and durable vessel.

The capacity of the average barge is about 13,500 bushels of coal, and the present cost of a new one about $1,250, while a coal boat, with practically twice the coal-carrying capacity, may be purchased for $650. On the contrary, however, the life of a barge is from ten to twelve years, while that of a coal boat is only two years at best, and many of the latter that are run to Lower Mississippi River ports are permitted to remain there owing to the excessive cost of returning any kind of coal craft to the coal regions. The material of which barges are built is the best of pine and white oak timber, of large size, for furnishing a large portion of which Clarion River is depended upon. A few iron barges have recently been constructed by one of the leading coal firms of Pittsburg, but they have not yet been in use long enough to enable one to judge justly of their merits. However, their cost, fully $3,000 each, and the fact that they are just as liable to result in a total loss in the event of a collision with some obstacle as is a wooden one, and after sinking become a much more dangerous obstruction to navigation, make it highly improbable that they will come into general use unless necessitated through a lack of proper facilities for securing wooden craft or the timber from which to construct them. From the foregoing it will, therefore, appear that anything that will diminish, by tending to discourage, the boat building or timber shipping industries in the Clarion, will materially affect the coal trade of the lower rivers to the detriment of the consumer.

The examination of Clarion River developed that it would be folly to attempt to designate a few localities in which obstructions of a particularly objectionable character might be removed and navigation thereby materially benefited. While it is true that some shoals are more dangerous than others, and navigation over them more hazardous, yet nearly every ripple or falls has on it at least some rocks which impede navigation below a stage of water which, were they removed, would furnish a safe navigable depth for many days beyond its present period of duration. A solitary bowlder may be so located on almost any shoal as to obstruct navigation as thoroughly as would a group, and is much more to be feared, owing to the temptation to attempt to pass by it on scant water, whereas a group of bowlders would deter one from so doing.

It would therefore appear that the only improvement in Clarion River worthy of consideration at this time is the systematic removal of rocks or bowlders which add to the hazard and curtail the season of navigation. * * *

Respectfully submitted.
Your obedient servant,

J. W. ARRAS, *Assistant Engineer.*

Maj. R. L. HOXIE,
Corps of Engineers.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 188.

MOROCCO D. SMITH.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Morocco D. Smith against the United States.

JANUARY 31, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 30, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 3644. Morocco D. Smith *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Morocco D. Smith, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed May 18, 1891.

[Court of Claims. Congressional case No. 3644. Morocco D. Smith *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 10th day of April, 1880.

On a preliminary inquiry the court, on the 18th day of May, 1891, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Govenment of the United States throughout said war.

The case was brought to a hearing on its merits on the 14th day of January, 1896.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States residing in Phillips County, State of Arkansas, where he resided during the late war of the rebellion; that during the said period, the United States forces, by proper authority, took from him quartermaster stores and commissary supplies of the value of $825 and appropriated the same to the use of the United States Army, as follows:

2 mules, $125 each	$250.00
2 horses, $175 each	350.00
1 mare, $125	125.00
5 acres of growing corn	100.00
Total	825.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDING OF FACT:

There were taken from the place of the claimant in Phillips County, State of Arkansas, during the late war of the rebellion, by the military forces of the United States, for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of six hundred and ten dollars ($610).

It does not appear that any payment has been made for any part thereof.

BY THE COURT.

Filed January 27, 1896.

A true copy.

Test this 30th day of January, 1896.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 189.

JOHN A. RAINE.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John A. Raine against the United States.

JANUARY 31, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 30, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 6563. John A. Raine *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that John A. Raine, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed February 6, 1893.

[Court of Claims. Congressional case No. 6563. John A. Raine *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims, House of Representatives, on the 16th day of October, 1888.

On a preliminary inquiry the court, on the 6th day of February, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 20th day of February, 1895.

C. D. Pennebaker, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States and that during the late rebellion he owned a store and farm situated in Hardin County, Ky., and that in September, 1861, and at other times, the United States forces took from him, under proper authority, stores and supplies, as follows:

Merchandise	$5,496.00
Lumber	620.46
Brick	100.00
Corn	320.00
Wood	320.00
Total	6,856.46

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACTS:

I.

The goods in the claimant's store above described, alleged to have been worth $5,496, were taken by soldiers, but were not taken for the use of the United States. The taking was because the store was believed to be the property of an enemy, and the goods passed into the possession of individual soldiers. By order of General Sherman, they were returned to the claimant so far as could be found. This portion of the claim, being for acts of depredation and destruction, is excluded from the jurisdiction of the court by the third section of the Bowman Act, and accordingly the value of the property taken is not found by the court.

II.

The remaining property above described was taken for the use of the United States. The reasonable value of the same at the time and place was ($644) six hundred and forty-four dollars, which does not appear to have been paid for.

BY THE COURT.

Filed February 25, 1895.
A true copy.
Test this 30th day of January, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 190.

OFFICERS DELINQUENT IN THEIR ACCOUNTS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

RELATING

To the report of officers delinquent, as shown by the accounts of the Auditor for the Post-Office Department.

FEBRUARY 1, 1896.—Referred to the Committee on Reform in the Civil Service and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 31, 1896.

SIR: Referring to Department letter of the 6th instant, transmitting to the House of Representatives lists of officers delinquent in rendering their accounts or in payment of balances due from them for the last preceding fiscal year, and in which letter it was stated that the accounts in the office of the Auditor for the Post-Office Department would form the subject of a future communication, I have the honor to inform you that the honorable the Attorney-General, in an opinion dated the 23d instant, decides that the Secretary of the Treasury is not required to report the balances due on postal accounts under section 12 of the act of July 31, 1894.

Respectfully, yours,

C. S. HAMLIN,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 191.

UNCOMPAHGRE INDIAN RESERVATION.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

Certain information as to the proceedings of his Department in carrying out the provisions of sections 20, 21, and 22 of an act making appropriations for expenses of the Indian Department, approved August 15, 1894; and also relating to certain lands in the Uncompahgre Indian Reservation in Utah.

FEBRUARY 1, 1896.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 30, 1896.

SIR: I have the honor to acknowledge the receipt of the following resolution of the House of Representatives, dated 16th instant:

Resolved, That the Secretary of the Interior is hereby requested to inform the House in detail as to the proceedings had and expenditures made by his Department in carrying out the provisions of sections 20, 21, and 22 of an act making appropriations for current and contingent expenses of the Indian Department, etc., approved August 15, 1894; with the names and residences of commissioners appointed under the provisions of said sections; with copies of instructions given by his Department to said commissioners, and with a statement, if not incompatible with the public service, of the probable time when that provision of said sections can be executed which provides for a restoration to the public domain of certain lands within the Uncompahgre Indian Reservation, in the Territory of Utah.

In response thereto, I transmit herewith copy of a communication of the 21st instant from the Commissioner of Indian Affairs, and its inclosures, to whom the matter was referred.

I also transmit copies of the reports of the commission, referred to in the Indian Office letter, dated January 8 and December 21, 1895.

It seems from these papers that there is not within the limits of the Uncompahgre Reservation sufficient agricultural or grazing lands to provide those Indians with allotments, and that even if the lands were there the Indians will not agree to take allotments with the condition attached that they should pay $1.25 per acre therefor. These reports contain a full statement of all the facts in this matter, and contain some strong arguments in favor of relieving the Indians of the payment of $1.25 per acre for land taken by them as allotments.

I am of the opinion that further negotiations should be had with the Indians on the Uncompahgre Reservation upon the lines indicated by the Commissioner of Indian Affairs.

I transmit herewith a copy of a recent report from the acting agent in charge of these Indians, giving some further facts as regards the present condition of affairs on these reservations.

Very respectfully,

HOKE SMITH, *Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 21, 1896.

SIR: I have the honor to acknowledge the receipt, by Department reference for immediate report, of the following resolution of the House of Representatives, adopted January 16, 1896:

Resolved, That the Secretary of the Interior is hereby requested to inform the House in detail as to the proceedings had and expenditures made by his Department in carrying out the provisions of sections 20, 21, and 22 of an act making appropriations for current and contingent expenses of the Indian Department, etc., approved August 15, 1894, with the names and residences of commissioners appointed under the provisions of said sections; with copies of instructions given by his Department to said commissioners, and with a statement, if not incompatible with the public service, of the probable time when that provision of said sections can be executed which provides for a restoration to the public domain of certain lands within the Uncompahgre Indian Reservation in the Territory of Utah.

In reply, I have the honor to state that under date of November 28, 1894, S. S. Scott, of Uchee, Ala., William S. Davis, of Little Rock, Ark., and Timothy A. Byrnes, of Atlantic City, N. J., were appointed commissioners "to allot lands to the Uncompahgre Indians in Utah according to the treaty of 1880, and to negotiate with the Indians of the Uintah Reservation in Utah for the relinquishment of certain lands in both cases under the provisions of the act of Congress approved August 15, 1894."

Under date of December 7, 1894, instructions for the guidance of this commission in the discharge of its duties were prepared and submitted to the Department, which instructions were approved by the Secretary December 8, 1894.

December 10, 1894, copies of these instructions were handed Messrs. Scott and Davis, and a copy mailed to Mr. Byrnes, at the Uintah Agency.

Under date of January 8, 1895, the commissioners submitted a report relative to the progress of their work on the Uncompahgre Reservation, and referred to the provisions in the act of June 5, 1880 (21 Stat. L., 199), ratifying the agreement with the Ute Indians, which requires the Uncompahgre Indians to pay $1.25 per acre for the lands allotted them.

They stated that the Indians were unable to see why they should be required to pay for their allotments while the Uintahs living alongside them were not required to make this payment. They (the commissioners) anticipated great difficulty in satisfactorily explaining this matter to the Indians, and suggested whether it would not be best for the Government to relieve the Uncompahgres of this payment.

In reply the commissioners were advised, under date of February 4, 1895, that I had submitted a copy of their report, together with the report of Major Randlett, acting Indian agent, addressed to them upon the same subject, to the Department, with recommendation that the

same be transmitted to the Senate Committee on Indian Affairs with request that a section be added to the Indian appropriation bill the effect of which would be to relieve the Indians of this payment.

I added that I did not know whether there would be any chance of obtaining this legislation, but that they would be able to assure the Indians that they had done all in their power to relieve them of this requirement, and that this office had cooperated with the commission in this matter.

Under date of March 22, 1895, the commissioners submitted the following statement:

Your letter of the 15th instant was received by last mail. In it you state that "the Secretary of the Interior is desirous of knowing how soon a report may be reasonably expected from you as to 'what portions of said reservation (Uncompahgre) are unsuited or will not be required for allotments,' as contemplated by section 20 of the act of August 15, 1894, under which you are operating."

The commission begs to say in reply that no exploration of the reservation has been possible since it reached this place. The snow has been of such depth as utterly to prevent all travel over the reservation; and even had such travel been practicable no fair idea could have been formed as to the character of lands so heavily coated, as they have been, with snow. This covering is, however, at last beginning to disappear, and although it is still, judging from the outlook in the vicinity of this place, at considerable depth in certain portions of the reservation, it is supposed that the way will be sufficiently open for the commission to undertake the exploration required within a few days. It is thought, too, that this work can be finished in three or four weeks. You may be sure that it will be pushed with due rapidity. Immediately upon its completion a report will be forwarded embracing the information desired.

Under date of May 6, 1895, the commissioners submitted a report as to "what portions of said reservation" (the Uncompahgre) "are unsuited or will not be required for allotments," and which under the provisions of the act of August 15, 1894, were by proclamation to "be restored to the public domain and made subject to entry."

June 3, 1895, this report was submitted to the Department, with a description by legal subdivisions of the lands which might be restored.

On the 19th of August, 1895, Commissioner Davis died, and his place has not been filled.

December 21, 1895, Commissioners Scott and Byrnes submitted a report, in which they stated substantially that it was impossible to induce the Uncompahgres to take allotments in severalty as contemplated by the act of August 15, 1894, in view of the requirement that they must pay $1.25 per acre for any and all lands allotted them.

Under date of January 14, 1896, I submitted this report to you, and after discussing the matter at some length and reviewing the work of the commission up to that time, remarked that the following questions suggested themselves:

(1) Shall the commission make any further effort to induce the Uncompahgres to take allotments in severalty under existing conditions?

(2) Is it your desire that they shall make further report of lands not suited or required for allotment, in order that such lands may be restored to the public domain?

(3) Shall the commission suspend work among the Uncompahgres and proceed to negotiate with the Indians of the Uintah Indian Reservation for the relinquishment to the United States of the interest of said reservation not needed for allotments in severalty to said Indians, and if possible procure the consent of said Indians to such relinquishment, and for the acceptance by said Indians of allotments in severalty within said reservation, etc.?

I also suggested that the best way out of the difficulties met with in carrying out the present law would be to obtain some such legislation as the following:

To enable the Secretary of the Interior to negotiate with the Uncompahgre tribe of Indians and with the Indians residing on the Uintah Indian Reservation, in

Utah, for such modification of existing treaties and agreements with said Indians and such change in their reservations as may be deemed desirable by said Indians and the Secretary of the Interior, ——— thousand dollars, or so much thereof as may be necessary; but no agreement made shall take effect until ratified by Congress.

The expenditures by the commission, including the sum of $1,403 advanced for the present quarter, amount to $14,440.45.

In reporting on the resolution I have not confined myself strictly to its terms, but have also given in brief the action taken by this office in carrying out the provisions of the act of August 15, 1894.

In view of the recommendations contained in office reports of June 3, 1895, and January 14, 1896, which have not yet been acted upon by you, I have not deemed it advisable to express any opinion as to "the probable time when that provision of said sections can be executed which provides for a restoration to the public domain of certain lands within the Uncompahgre Indian Reservation in the Territory of Utah."

I inclose copies of the letter of instructions given the commission, its report of January 8, 1895, of the report of this office thereon of January 26, 1895, of the report of this office dated June 3, 1895, and of office report of January 14, 1896.

The reports of the commission of May 6, 1895, and December 21, 1895, are in your office.

Very respectfully, your obedient servant,

D. M. BROWNING,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
COMMISSION FOR ALLOTMENT OF LANDS TO INDIANS IN UTAH,
Fort Duchesne, January 8, 1895.

SIR: The undersigned, Messrs. Scott and Davis, Ute Indian commissioners, with Mr. Edelin, clerk, reached this place on the morning of the 21st ultimo. They found Mr. Byrnes, the other commissioner, whose name is also underwritten, here awaiting them. A meeting of the commission was held on the following day, and the Commissioner of Indian Affairs was promptly advised of its organization and that it was in the field marked out for its future operations.

The ground was covered with snow, and until within the last few days snow has fallen almost every day or night since. The weather, too, has been at times intensely cold, the mercury in the thermometer at the post frequently sinking as low as zero and now and then from 10° to 20° below that point. Outdoor work on the part of the commission has been almost entirely impracticable, and indeed it is feared at this writing—the thermometer registering 24° below zero—that much of this kind of work will continue to be so until the coming in of spring. All, however, that can be done to facilitate the object had in view by the appointment of the commission in preparing for fieldwork when the time arrives for it has been done and will continue to be done faithfully and energetically.

The commission has had morning and afternoon meetings daily and has made honest efforts to arrive at a full comprehension of the very grave, delicate, and responsible duties with which it has been charged by the Government. It has read and reread, weighed, considered, and discussed the law approved August 15, 1894, under which it was organized; the instructions, dated the 7th ultimo, furnished for its guidance; the Ute Indian treaties of 1873 and 1880, and the acts of Congress ratifying the same; and all other public documents intrusted to it, or which could be reached, referring to the business in hand with the view of obtaining a clear understanding of the whole matter, in order that it might be ready not only to reply promptly and intelligently to every question on the subject propounded to it by the Indians, but be enabled to push the work to completion at the earliest practicable moment.

As a further preliminary movement in the direction suggested it was resolved by the commission to detail Commissioner Byrnes, who by long official association with the Uncompahgre Utes had secured their friendship and confidence, to visit the Ouray Agency and by informal conference with their chiefs and head men ascertain what was their understanding of the agreement entered into by them in conjunction

with the other leading men of the confederated band of Utes at Washington City and subsequently ratified by them as part of said confederated band in a vote of three-fourths of the whole male adult population and known as the agreement of 1880. This step was taken because in communicating with Major Randlett, of the United States Army and acting agent for both the Uncompahgre and Uintah Utes, it was learned that there was much dissatisfaction among the former by reason of the failure on the part of the commissioners selected to treat with them under the act of 1880 to strictly carry out their instructions in removing them from their old reservation in Colorado; and again, because of the provision in the law of August 15, 1894—the one under which the present commission acts—requiring them to pay $1.25 per acre out of their annuity funds for the lands to be allotted to them.

It may be well to state that Major Randlett understands these Indians well—he is most emphatically their friend, as they are without an exception his friend—and that he has embodied the foregoing facts in a letter to the commissioner, dated the 24th ultimo and received the 7th instant, which communication was at once referred to the Commissioner of Indian Affairs.

Commissioner Byrnes, in pursuance of the resolution referred to, proceeded to the Ouray Agency. The time and character of his work there is fully made known in the following subreport:

FORT DUCHESNE, UTAH, *January 7, 1895.*

The UTE INDIAN COMMISSION.

GENTLEMEN: Pursuant to resolution dated December 31, 1894, I left this place on Friday last at 1 o'clock p. m. for the Ouray Agency and arrived there at 5 o'clock p. m. The following day, Saturday, January 5, being issue day, the Indians were present in large numbers. The chiefs and head men were all present. They had no knowledge of my being at the agency at that time. I carefully concealed the object of my visit, and concluded that it would be best to have all the Indians assemble at one time and state to them in each other's presence the object of my mission, so that I could be fully understood by all.

I concluded that this would be a better mode of procedure than questioning them separately. I therefore gave notice that all the male adult Indians should meet me at the agency office at 3 o'clock in the afternoon; that I desired to talk with them. Promptly at that hour 125 adult Indians, with Charley Alhandra, the interpreter, had assembled at the office and notified me by the interpreter that they were ready to hear me talk. I invited Mr. John McAndrews, chief herder at this agency, who understands the Ute language, and Mr. Howard I. Brother, the clerk in charge of the agency, to be present as witnesses to the proceedings. I then asked the Indians for the information required. They seemed to be very much astonished at the questions I asked. It seemed that I had taken them by surprise. However, they quickly responded as follows, which I noted down at the time: They said that they never agreed to come to this country, but were promised that they should remain in Colorado and be settled on the Grand River, near the mouth of the Gunnison, where they were promised they should be given houses and farms and helped to live like the whites. They said that they never agreed to pay $1.25 an acre for the lands they were to receive in exchange for the reservation in Colorado, and they never heard of such agreement until now; that the whites about here have lately been telling them about this, but they did not believe it until I told them that it was so. They seemed much surprised at this, and asked me to have the commission write to Washington and tell him this was wrong, and ask Washington to have them treated right.

All the Indians present were signers of the treaty of 1880. All the chiefs and headmen were present. Among those who were present and whose names I recollected are the following, which names I took down rapidly as they passed out:

Charley Chavanah.	Ash ta.	Gus.
Red Moon.	Ignacio.	Galota.
Charley Alhandra.	Wyasket.	Wee ma mooch.
Eggleston.	Ac cut ti pe noots.	Piah.
Quo nah ag.	New cow ree.	Arrappo.
Guo na tach.	Wass.	Atchee.
Snaps.	Little Jim.	Tom.
Henry Wilson.	Yon a gats.	Wa rat za.
Wap pa nah.	Pantalane.	Wa pe ratz.
Elk.	Arrive.	Yah pootz.
Chick i too Cohoe.	Pow a chitz.	Char oo.
Buckskin Jim.	Kan op atch.	Wap pe nas.
Fenno.	Johnson Smith.	Jack Johnson.
My yore.		

Having attended to the duties required of me, I returned to Fort Duchesne the next day, Sunday, 6th instant.

Respectfully submitted.

T. A. BYRNES, *Commissioner.*

No comment is required here upon the foregoing subreport of Commissioner Byrnes. It is quoted for the benefit of the Indian Office, which will give it such consideration as it deserves. The commission, however, beg leave, in this connection, to call attention to the third section of the act of 1880 ratifying the Washington agreement. That section reads as follows:

"SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to cause to be surveyed, under the direction of said commissioners, a sufficient quantity of land in the vicinities named in said agreement to secure the settlement in severalty of said Indians as therein provided. And upon the completion of said survey and enumeration herein required the said commissioners shall cause allotments of lands to be made to each and all of the said Indians, in quantity and character as set forth in the agreement above mentioned, and whenever the report and proceedings of said commissioners, as required by this act, are approved by the President of the United States, he shall cause patents to issue to each and every allottee for the lands so allotted, with the same conditions, restrictions, and limitations mentioned therein as are provided in said agreement; and all the lands not so allotted, the title to which is, by the said agreement of the Confederated Bands of the Ute Indians and this acceptance by the United States, released and conveyed to the United States, shall be held and deemed to be public lands of the United States and subject to disposal under the laws providing for the disposal of the public lands, at the same price and on the same terms as other lands of like character, except as provided in this act: *Provided*, That none of said lands, whether mineral or otherwise, shall be liable to entry and settlement under the provisions of the homestead law, but shall be subject to cash entry only in accordance with existing law; and when sold the proceeds of said sale shall be first sacredly applied to reimbursing the United States for all sums paid out or set apart under this act by the Government for the benefit of said Indians, and then to be applied in payment for the lands at one dollar and twenty-five cents per acre, which may be ceded to them by the United States outside of their reservation, in pursuance of this agreement. And the remainder, if any, shall be deposited in the Treasury, as now provided by law for the benefit of the said Indians, in the proportion hereinbefore stated, and the interest thereon shall be distributed annually to them in the same manner as the funds provided for in this act: *Provided further*, That the subdivisions upon which are located improvements to be appraised, as provided for in section two of this act, shall be offered to the highest bidder at public sale, after published notice of at least thirty days by the Secretary of the Interior, and the same shall be absolutely reserved from occupation or claim until so sold."

Now, it is not at all surprising that ignorant Indians like the Uncompahgres should have supposed that a reservation which, according to law, it is true, is only theirs for temporary occupancy was given them just as the Uintah Reservation had been given to a brother band of Utes in their immediate neighborhood. The nice distinction between the modes by which the two reservations were established they would hardly be able to draw or understand. And it is still less surprising, in the light of that fact, that they should have been unable fully to comprehend the scope of the section which has just been quoted, especially as all the information they could get with regard to it had to reach them through the imperfect and uncertain medium of an interpreter.

But there is no wish, of course, to discuss the question of right in this paper. That has been settled. The question which is now presented to the Government, and to which is expected a favorable answer, is purely one of policy. Is it best for the Government and best for these Indians that the latter should be made to pay $1.25 per acre for the lands that are to be allotted to them by the present commission? In suggesting a reply to that question, the commission begs most respectfully to say, first, that in its opinion, based not only upon the report of Commissioner Byrnes, but upon statements made to it by Major Randlett and other reliable parties in the vicinity of these agencies, it will be no easy matter to induce the Uncompahgres to accept of allotments of lands upon the terms indicated.

It begs to say further that, on account of this difficulty, joined with the possible and perhaps probable misunderstanding on the part of these Indians of the full meaning of that third section, it would, in its humble judgment, be better for the Government to waive all right to the $1.25 per acre, and let them have the lands to be allotted to them free of all compensation whatever; and it makes this respectful suggestion the more readily because it is satisfied that the present Government of the United States, with a knowledge of all the facts of the case, could not and would not allow even the smell of harsh dealing toward these Indians, who have shown themselves so willing heretofore to accede to its demands and comply with its wishes, to hang for an instant about its garments. This position of the commission is in harmony with that of both of the committees on Indian affairs in Congress, as is evident from their reports made—that of the Senate committee, May 29, and that of

the House committee, April 4, 1894. From the former report are taken the subjoined paragraphs:

"Amend section 1 by adding after the word 'location,' in line 22—

"'*And provided further*, That the stipulation contained in the treaty with the Ute Indians, ratified by act of Congress June 15, 1880, whereby the said Indians are obligated to pay for the lands allotted to them in severalty, be, and the same is hereby, waived by the United States, and the allotments provided for by this act shall be made without any price to be paid or charge to be made against any funds to the credit of the Indians.'

"The reason for recommending this amendment," the committee goes on very forcibly to remark, "is that an effort to enforce the stipulation of the treaty of 1880 at this date would doubtless cause irritation on the part of the Indians, and might provoke resistance. While under the terms of that treaty a charge of $1.25 per acre might be made against the funds of the Indians for the areas allotted to them, the fact remains that this obligation is very imperfectly, if at all, appreciated by the Indians, and that they have from their long residence upon their present reservation acquired a conviction that the lands belong to them.

"In the twelve or fourteen years which have elapsed since the removal of the bands from their aboriginal seat in Colorado a new generation has come into the active management of tribal affairs and to many of the band the treaty of 1880 is only a tradition, while occupancy of the Utah Reservation is a present fact. It is obviously quite natural, however unreasonable, that the Indians should feel themselves entitled to hold the existing reservation and should object to making payment for the fraction of that reservation which they will be allowed to retain. Under these circumstances, it is submitted that it is a wiser policy to waive the right of the Government to payment for the lands allotted than to incur the friction, delay, and possible strife which might follow an effort to enforce the letter of the treaty."

The commission has been sent here to do a particular work, and to that end the duty has been imposed upon it to communicate to the Government all facts that it may gather affecting the success of the undertaking. This duty it is now attempting in part to discharge; and in connection with that duty, and from the facts hereinbefore given, it has no hesitation in respectfully asking the Commissioner of Indian Affairs, and through him the Secretary of the Interior, to request Congress to amend the act of August 15, 1894, by which these Indians are required to pay the treaty-stipulated price of $1.25 per acre for the lands which may be allotted to them in accordance with its provisions.

If the Government should decide against waiving this right, the commission, undismayed by the grave and manifold difficulties of the situation, will do its best, as indeed it is now doing, in the line of its sworn duty, to induce these Indians to take homes and try to make of themselves a useful and self-supporting people. But it is to be hoped, and in truth it is believed, that the Government will consent to the waiver suggested. Should it do so, it will smooth the way for the commission to make arrangements to provide these Indians with lands upon which they can live and prosper; in a word, become in a few years settled, contented, thriving, as much so as any of their aboriginal brethren within the limits of the United States. There is no exaggeration in this statement. One has but to see these Indians, note their intelligence, their love of home and family, when they have a home and family, their peaceful and industrious habits and their splendid physique, to be convinced of the truth of what is here claimed for them.

Respectfully submitted.

S. S. SCOTT,
T. A. BYRNES,
WM. S. DAVIS,
Ute Indian Commission.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 26, 1895.

SIR: Under date of January 8, 1895, the Ute Commission submitted a report relative to the progress of their work on the Uncompahgre Reservation. The commissioners refer to the provision in the act of June 5, 1880 (21 Stats., 199), ratifying the agreement with the Ute Indians, which requires that the Uncompahgre Indians shall pay $1.25 per acre for the lands allotted them, and state that these Indians are unable to see why they should be required to pay for the lands to be allotted them while the Uintahs living alongside of them are not required to make this payment. They anticipate great difficulty in satisfactorily explaining this matter to the Indians,

and suggest whether it would not be best for the Government to relieve the Indians of this payment. They say:

"In the twelve or fourteen years which have elapsed since the removal of the bands from their aboriginal seat in Colorado a new generation has come into the active management of tribal affairs and to many of the band the treaty of 1880 is only a tradition, while occupancy of the Utah Reservation is a present fact. It is obviously quite natural, however unreasonable, that the Indians should feel themselves entitled to hold the existing reservation and should object to making payment for the fraction of that reservation which they will be allowed to retain. Under these circumstances it is submitted that it is a wiser policy to waive the right of the Government to payment for the lands allotted than to incur the friction, delay, and possible strife which might follow an effort to enforce the letter of the treaty."

They further state that if the Government should decide against waiving this right "the commission, undismayed by the grave and manifold difficulties of the situation, will do its best—as indeed it is now doing, in the line of its sworn duty—to induce these Indians to take homes and try to make of themselves a useful and self-supporting people. But it is to be hoped, and in truth it is believed, that the Government will consent to the waiver suggested. Should it do so, it will smooth the way for the commission to make arrangements to provide these Indians with lands upon which they can live and prosper; in a word, become, in a few years, settled, contented, thriving—as much so as any other aboriginal brethren within the limits of the United States."

I am also in receipt of a copy of a communication addressed by Maj. James F. Randlett, U. S. A., acting Indian agent in charge of the Uncompahgre and Uintah Utes to the commission, under date of December 24, 1894, upon the same subject. Major Randlett refers at length to the agreement of 1880 and the act by which it was ratified, and the operations of the commission appointed under said act to carry it into effect. He also refers to the wrong committed upon the Uncompahgre Indians by the commissioners charged with removing them to the Grand River, and the failure of the Government to furnish them with houses, wagons, agricultural implements, saw and grist mills, etc., and, as agent for the Indians, informs the present commission that it will be a hard task for them to convince the Indians that it is just to hold them to the stipulation of the agreement of 1880 for payment of their allotments while the said agreement has been violated in numerous ways by the Government, and concludes as follows:

"I presume you will consider it to be your first duty under the law to ascertain what lands can be cut off from the reservation as not wanted for allotment, and as you will experience much difficulty and delay in accomplishing this, on account of the extent of the reservation and the very small quantity of agricultural land to be found within its limits, I beg that you will consider the question herein raised for the purpose of securing more liberal and just dealing with these Indians from the Government, and that if my conclusions are deemed correct, and you can find it consistent to do so, I pray that you will present the subject for the consideration of the honorable Secretary of the Interior to the end that Congress may be asked to repeal the clause in the act of August, 1894, requiring $1.25 per acre for lands to be allotted to them, and to make the necessary appropriations for supplying them with houses and agricultural implements, and in building substantial and complete irrigating ditches, so that it may be reasonable to expect them to become self-supporting. As agent for these Indians it is my determination to cooperate with you with due sense of my duty to the Government and the obedience I owe to the law of the land, while at the same time I will hope that our work may be carried on in such manner and to such end that no further injustice may come to these poor man-cursed fellow-creatures, and that our efforts for fair dealing with all concerned will be approved by the authority that has intrusted us, and result in reclaiming these Indians from barbarism and ultimately establishing them in ways of right living as American citizens."

The provision in the act of August 15, 1894 (28 Stat. L., 337), to which the commissioners and Major Randlett refer, is as follows:

"*And provided,* That said Indians shall pay $1.25 per acre for said lands from the fund now in the United States Treasury realized from the sale of their lands in Colorado, as provided by their contract with the Government."

It is considered necessary to go at length into the history of the agreement of 1880 and the action taken thereunder, as the facts are not only well known to the Department and the committees of Congress, but are fully set out in the communication of Major Randlett and the commissioners.

While under the strict letter of the law the Government is doubtless in a position to enforce payment for this land, yet I believe that equity and a sense of fair dealing with these Indians require that this provision should not be enacted. I am also of the opinion that a waiver of this requirement would produce such good feeling among the Indians as would remove many of the difficulties which now beset the

commission and render its success in carrying out the provisions of the act of 1894 much more certain.

I therefore have the honor to recommend that the inclosed copies of the correspondence be transmitted to the Senate Committee on Indian Affairs with the recommendation that the following section be added to the Indian appropriation bill:

"SEC. —. That the requirement of the Act approved June fifteenth, eighteen hundred and eighty, entitled 'An Act to accept and ratify the agreement submitted by the Confederated Bands of Ute Indians in Colorado for the sale of their reservation in said State, and for other purposes,' and to make the necessary appropriations for carrying out the same, and that contained in section nineteen of the Act approved August fifteenth, eighteen hundred and ninety-four, entitled 'An Act making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes,' which requires the Uncompahgre Ute Indians to pay the sum of one dollar and twenty-five cents per acre for the lands that may be allotted them in Utah, be and the same is hereby waived by the United States and the allotments provided for in said agreement and said Act of August fifteenth, eighteen hundred and ninety-four, shall be made without any price to be paid or charge to be made against any funds to the credit of the Indians."

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, June 3, 1895.

SIR: Section 20 of the act of Congress approved August 15, 1894 (28 Stat. L., 286), which authorizes the appointment of a commission to allot in severalty to the Uncompahgre Indians within their reservation, in the Territory of Utah, agricultural and grazing lands, contains the following clause:

"Said commissioners shall, as soon as practicable after their appointment, report to the Secretary of the Interior what portions of said reservation are unsuited or will not be required for allotments, and thereupon such portions so reported shall, by proclamation, be restored to the public domain and made subject to entry as hereinafter provided."

I am now in receipt of a report from the Ute Indian commissioners, dated May 6, 1895, relative to the lands which may be opened under the above provision. Report inclosed herewith.

The commissioners do not hesitate to say, after a thorough exploration of the country east of Green River, which embraces about 1,800,000 acres of the 2,000,000 acres that make up the entire reservation, that there is no arable land upon it suitable for Indian allotments, except about 10,000 acres of bottom land extending 10 or 12 miles up the White on both sides from its mouth.

They also say: "That portion of the reservation explored, embracing, as before said, all the land east of Green River and both above and below the White, is, with the exception of the valley of the White (about 10,000 acres) and the valley of the Green (unsuited to agricultural purposes), a desert *above,* a desert of shifting sand scantily supplied with a stunted growth of sage and grease wood and destitute of water after leaving these rivers until Badland Creek is reached near the northern boundary of the reservation; and *below* a desert too, but instead of shifting sand one of hard ground and sheets of rock, seamed and fissured, along which in every direction are crags, precipices, and piles of bowlders terribly broken up and shattered and thrown together in every conceivable shape and size. This rocky waste, however, is relieved by several small streams running north, which, by the aid of the vegetation that increases in richness and variety as the country in successive rolls rises to mountainous ranges on and beyond the southern border of the reservation, form about the only good pasture lands to be found for these Uncompahgre Indians."

From this report it appears that the commission is satisfied that none of the reservation east of Green River, except the valley of the White, is suitable for agricultural allotments. The commissioners therefore suggest that that portion of the Uncompahgre Reservation east of Green River and north of White River, but not including the bottom lands of the two rivers, may be opened to settlement.

They do not make a similar recommendation as to the lands east of Green River and south of White River, for the reason that, although unsuited to agricultural allotments, these lands, unlike the former, are well watered, furnish good pasturage, and being extensively used by the Indians for grazing purposes, should be saved to them until all allotments are completed.

The report being somewhat contradictory and not being able to positively determine whether the commissioners proposed to reserve the bottom lands of the White River for a distance of 10 or 12 miles, or to the Colorado line, I sent them the following telegram on May 31, 1895:

"Does your report of May 6th contemplate reserving for allotments to Indians any bottom or other lands on north side of White River east of range line between ranges 21 and 22 east Salt Lake meridian? Wire answer."

In reply Chairman Scott replied on the same day, as follows: "Our report was intended to reserve all the bottom lands on the White River between its mouth and the Colorado line."

In accordance with the suggestion of the commission, as above explained, I have the honor to recommend that the following-described portion of the Uncompahgre Indian Reservation in Utah be opened to settlement under the provisions of the act of August 15, 1894 (28 Stat. L. 286), viz:

Beginning at a point where the section line between sections 13 and 24, in township 9 south, range 25 east, Salt Lake meridian, if extended, intersects the eastern boundary of Utah Territory; thence west on the section line between sections 13 and 24, 14 and 23, 15 and 22, 16 and 21, 17 and 20, 18 and 19, in township 9 south of ranges 25, 24, and 23 east of said meridian; thence north on the range line between ranges 22 and 23 to the northeast corner of township 9 south, range 22 east; thence west on the north boundary of said township to the northeast corner of section 4 of said township; thence north on section line to the northeast corner of section 21, township 8 south; thence west on the section line to the northwest corner of section 19 in said township; thence north on the range line between ranges 21 and 22 east to the southeast corner of township 6 south of range 21 east; thence east on the south boundary of township 6 south, range 22 east, to the southeast corner of said township; thence north on the range line between ranges 22 and 23 east to the northeast corner of section 25, township 6 south, range 22 east; thence east on the south line of sections 19, 20, 21, 22, 23, and 24 of township 6 south, range 23 east, to the range line between ranges 23 and 24 east; thence south on said range line and following the present boundary of the reservation to the southwest corner of township 6 south, range 24 east; thence east on said reservation boundary to the southeast corner of fractional township 6 south, range 26 east; thence south on said reservation boundary, being the east boundary of Utah Territory, to the place of beginning.

It is altogether desirable that the lands to be opened to settlement should be described by legal subdivisions of the public survey. To describe them as being all the lands "between (not including) the bottom lands" of Green and White rivers would be too indefinite and not at all satisfactory. I have therefore followed lines of the public survey in describing the lands to be opened to settlement, and have taken care to reserve enough lands along both rivers to embrace, it is thought, all the bottom lands of both of said rivers. If more land is reserved than will be needed for allotments to the Indians the surplus not so needed can be opened at some future time.

I inclose for your convenience a map of Utah, showing the lines by which the tract it is proposed to open is bounded.

Very respectfully, your obedient servant,

THOS. P. SMITH, *Acting Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 14, 1896.

SIR: I have the honor to submit for your consideration the following statement of facts relative to the work of the Uncompahgre and Uintah Ute commission, showing what has thus far been accomplished and the seeming difficulties in the way of the successful accomplishment of the aims and purposes of the law under which said commission is now operating.

The law (28 Stats., pp. 337–338), briefly stated, provides for the appointment of a commission of three persons to allot in severalty to the Uncompahgre Utes, within their reservation, in Utah, agricultural and grazing lands according to the treaty (agreement) of 1880 (21 Stats., p. 199)—to heads of families, each, 160 acres of agricultural lands, and not to exceed 160 acres of grazing lands additional; to single persons over 18 years of age, each, 80 acres of agricultural, and not to exceed 80 acres of grazing lands additional; to orphan children, each, same as last mentioned; to each other person under 18 years of age, born prior to such allotment, same as last; provided that, with the consent of the commission, any adult Indian may select a less quantity of land, if more desirable on account of locality.

It is also provided that said Indians shall pay $1.25 per acre for the lands that may be allotted to them, from the money realized from the sale of the lands in Colorado from which they were removed when they were taken to Utah.

A further important provision is that said commission shall, as soon as practicable after appointment, report to the Secretary of the Interior what portions of said Uncompahgre Reservation are unsuited or will not be required for allotments, and thereupon such portions so reported shall, by proclamation, be restored to the public domain and made subject to entry as thereinafter set forth.

After indicating the manner in which the unallotted lands shall be disposed of, the law imposes a further duty upon the commission, as follows:

"That said commission shall also negotiate and treat with the Indians properly residing upon the Uintah Reservation, in the Territory of Utah, for the relinquishment to the United States of the interest of said Indians in all lands within said reservation not needed for allotment in severalty to said Indians, and if possible procure the consent of such Indians to such relinquishment, and for the acceptance by said Indians of allotments in severalty of lands within said reservation, and said commissioners shall report any agreement made by them with said Indians, which agreement shall become operative only when ratified by act of Congress."

The commission, Messrs. Scott, Byrnes, and Davis, entered upon their duties under instructions approved by you December 8, 1894.

On January 8, 1895, they submitted a report in which they referred to the provisions in the act of June 5, 1880 (supra), ratifying the agreement with the Utes, which require that the Uncompahgre Indians shall pay $1.25 per acre for the lands allotted them, and stated that these Indians were unable to see why they should be required to pay for the lands to be allotted to them while the Uintahs, living alongside, were not required to make such payment. The commission anticipated great difficulty in satisfactorily explaining this matter to the Indians and suggested whether it would not be best for the Government to relieve the Indians of this payment. January 26, 1895, I recommended that a section be added to the then pending Indian appropriation bill relieving the Uncompahgre Indians of the payment required by the act of June 5, 1880, but favorable action was not taken by Congress. As we have already seen, the requirement as to this payment is repeated in the act of August 15, 1894 (supra).

In your Annual Report for 1895 (p. 10) I observe that you do not feel inclined to favor the suggestion for relieving these Indians of this payment. You remark: "If they are given agricultural lands, as the agreement specifies, I see no reason why the credits should not be made upon the trust fund, unless the delay in allotment is cause for complaint on the part of the Indians." It may be proper to state here that no complaint has been made by the Indians, so far as I know, on account of the delay in making allotments to them.

I am now in receipt of a further report from the commission, dated December 21, 1895, in which they report, in substance and effect, that it is impossible to induce the Uncompahgre Utes to take allotments in severalty as contemplated by the act of August 15, 1894, in view of the legal requirement that they must pay $1.25 per acre for any and all lands that may be allotted to them. I inclose the report, and invite the careful attention of the Department to all that is said in advocacy of relieving the Uncompahgres from this payment.

It is very evident from this report that it would be idle to continue the efforts to induce these Indians to take allotments in severalty so long as this, to them, objectionable requirement is insisted upon. A whole year has been spent principally in the endeavor to persuade these Indians to take allotments, and the task appears to be a hopeless one under existing conditions.

There is another matter which gives serious concern, and that is, there is in reality but very little, if any, land within the entire Uncompahgre Reservation proper suitable for allotment as agricultural land. The commissioners report with positiveness that while certain parts of the reservation are suitable for grazing allotments none of it east of Green River and but little of it, comparatively speaking, west of that river is fitted for agricultural allotments to Indians.

As the Department is aware, when the Uncompahgres were removed to Utah lands were selected for them not only within what is now the Uncompahgre Reservation, but also the lands along the Duchesne River, from its junction with the Green up to a point 8 miles above the mouth of the Uintah River. The lands along the Duchesne are within the boundaries of the Uintah Reservation and the Uncompahgres are entitled to take their allotments there, but not farther than 8 miles above the mouth of the Uintah.

In the original instructions to the commission it was pointed out that there was believed to be a very considerable area of fertile land on the Duchesne as yet unoccupied, and they were instructed, if such was found to be the case, to see that every acre of it was taken in allotment. In their late report the commissioners state that there are several thousand acres subject to allotment to the Uncompahgre Indians on the Duchesne River—good agricultural land and perfectly adapted to their wants. They think that there is enough of this fine land there to furnish agricultural allotments to two or three hundred of the Uncompahgres. This, of course, is an entirely insufficient quantity. But the commissioners observe that above the 8-mile limit on the Duchesne there is ample land of fine quality to supply farms and homes for the

entire Uncompahgre tribe, taking in, of course, the land already belonging to the Uncompahgres below the 8-mile limit. It is rightly stated, however, that this land (above the 8-mile limit) belongs to the Uintah Indians, and can only be secured by negotiations with them. They suggest, however, that there would be no difficulty in negotiating for its purchase on reasonable terms, inasmuch as the Uintahs and Uncompahgres are very friendly.

Probably this assumption is correct, and the authority to negotiate with the Uintahs cited in this report (p. 2) would, it is believed, cover negotiations for the accomplishment of this object. But if the Uncompahgres, by reason of the requirement that they must pay $1.25 per acre for their lands, object to taking allotments on that part of the Duchesne which was selected for them and where they are now privileged to take them, it is not seen how it would better the matter to procure, by purchase or otherwise, more land in that neighborhood and offer it to them in allotment upon the same conditions.

A question arises here, however, which I think should be considered:

Did the agreement and act of 1880 (supra) which provides that the United States shall reimburse itself from the proceeds of the sale of the Colorado lands "in payment for the lands at $1.25 per acre which may be ceded to them by the United States outside of their reservation, in pursuance of this agreement," contemplate that such payment should be made for any lands that might be selected for them within *an existing Indian reservation*—lands that had long been reserved from the public domain and set apart for Indian purposes? The agreement with the Indians provided, and it was expected, that the Uncompahgres would settle on the Grand River, near the mouth of the Gunnison, in Colorado, within the territory ceded by he Ute Indians in said agreement, if a sufficient quantity of agricultural lands could be found there, and in anticipation of their settlement there some $21,000 was expended out of the Ute removal fund to make surveys for allotments for them there (subsequently reimbursed, 23 Stat. L., p. 95). But if a sufficient quantity of land could not be found on Grand River then they were to be settled upon such other unoccupied agricultural lands as could be found in that vicinity, and in the Territory of Utah, and for any land which might be ceded to them *outside of their reservation* for their allotments the United States was to be reimbursed in the sum of $1.25 per acre.

It appears that a sufficient quantity of land to meet the requirements could not be found in Colorado, and lands were selected for them in Utah, *a portion of the selected lands being within the Uintah Reservation.* Whether the agreement and act of ratification really authorized or contemplated the selection of any lands for the Uncompahgres within the Uintah Reservation or not, the fact remains that lands were selected for them on said reservation, as hereinbefore stated, "along the Duchesne River, from its junction with the Green up to a point 8 miles above the mouth of the Uintah River," and the selection was approved by the Secretary of the Interior. (Annual Report Indian Office, 1881, p. 327.) Moreover, the lands that were selected for said Indians within the Uintah Reservation appear to be about the only lands of all that were selected for the Uncompahgres that are suitable for allotments for agricultural purposes, and the commissioners report that "already many farms have been opened (by the Uncompahgres) on the Duchesne, well fenced with wire and cedar posts, having necessary ditches for irrigation and good, comfortable homes, all occupied by Uncompahgre families, who are working to advantage and profit," and that "steps have also been taken to provide a canal for a body of land on the south side of the lower Duchesne, containing about 4,000 acres, which, when houses and fences for it are constructed, will accomodate many other families of this band that are ready and waiting to take possession, so that, as before indicated, when these Indians can be induced to accept allotments a large part of them will be able to receive the same from lands on which they have already been settled and engaged in cultivating.

Then, as it turned out, the United States got the benefit of all the lands purchased from the Ute Indians by the agreement of 1880. None of the Indians were given allotments upon the lands so purchased, and it would appear from the recent reports of the Ute Commission that but very few, if any of them, can be accommodated with agricultural lands within the territory selected for them on the Green River and White River, in Utah, within the present Executive Order Reservation; this for the reason, as already stated, that there is but very little, if any, suitable land there for allotment to them. Now, if these Indians should, by proper arrangement, all be settled and given allotments on the Duchesne, within the Uintah Reservation, would it be proper for the Government to insist that they should pay $1.25 an acre for their lands? The commissioners have found it very difficult to explain to them in any satisfactory way why they should pay for lands taken in allotment within the Uintah Reservation while their neighbors, the White River Utes, who were removed at the same time with them, and located on the Uintah Reservation, are not required to pay for theirs.

Had the Uncompahgres settled on the Grand River within their old reservation in Colorado, no payment would have been required of them for the lands taken in allotment. It was only for lands "ceded to them by the United States *outside of their*

reservation" (in Colorado) that the Government was to be reimbursed for. Now, if they take their allotments on the Duchesne, within the Uintah Reservation, will they be required to pay for them at the rate of $1.25 per acre? If so, why should not the White River Utes be required to pay for their allotments at the same price? It has never been suggested, so far as I am aware, that the White Rivers would be required to make such payment when they come to take their lands in severalty on the Uintah Reservation.

It is not known positively whether the Uncompahgres would all be willing to settle on the Uintah Reservation, but it is inferred that they would from the recent report of the Commission, provided, of course, that they are not required to pay for the lands. Again, if they should all agree to settle there, what would become of the Executive Order Reservation—the Uncompahgre Reservation proper? The law (act August 15, 1894) provides that the lands ascertained to be unsuitable or not required for allotment shall be restored to the public domain and made subject to entry by the Whites. But would the Uncompahgres be willing to give up whatever rights they have in and to said lands in consideration of their being allowed to take lands—all of them—in allotments on the Uintah Reservation? This is a question that can only be determined by consulting them.

The questions arising in my mind after reviewing the work of the commission up to this time are:

(1) Shall the commission make any further effort to induce the Uncompahgres to take allotments in severalty under existing conditions?

(2) Is it your desire that they shall make further report of lands not suited or required for allotment, in order that such lands may be restored to the public domain?

In your annual report for 1895 (p. 10) you were pleased to recommend the passage of such legislation "as will provide for the disposal of the Gilsonite deposits by lease or sale to the highest bidder." In view of this, is it desirable that the commissioners shall be directed to make further report upon lands not suited or needed for allotments?

(3) Shall the commission suspend work among the Uncompahgres and proceed to negotiate with the Indians of the Uintah Indian Reservation "for the relinquishment to the United States of the interest of said Indians in all lands within said reservation not needed for allotments in severalty to said Indians, and if possible procure the consent of said Indians to such relinquishment, and for the acceptance by said Indians of allotments in severalty within said reservation," etc.?

In connection with the last question it has occurred to me that it might not be wise to undertake negotiations with the Uintahs until something definite is reached in regard to the final settlement of the very serious and perplexing difficulties met with in carrying out that part of the law relating to the Uncompahgres.

The Uintah Reservation is admirably adapted to Indian uses, and it seems to me that it should be kept intact for their use and occupation until it is ascertained beyond question that there is a surplus over and above the present and prospective wants of the Indians thereon and in that region of country, when such portions as are really not needed might be disposed of for white settlement. Leaving out the Uncompahgre Executive order reservation the Uintah Reservation is the only Indian reservation in the entire State of Utah, and I do not think we should be in a hurry to encroach upon it simply because it happens to be attractive to white home seekers.

I have already referred to the recommendation contained in your last annual report for further legislation in regard to the disposal of the Gilsonite deposits within the Uncompahgre Reservation. I believe that the best way out of the difficulties met with in carrying out the present law would be to obtain some such legislation as was provided in the case of the Chippewa Indians in Minnesota and other Indians in northern Montana and Fort Berthold (24 Stat. L., p. 44). For example, such authority as this:

To enable the Secretary of the Interior to negotiate with the Uncompahgre tribe of Indians and with the Indians residing upon the Uintah Indian Reservation in Utah for such modification of existing treaties and agreements with said Indians and such change in their reservations as may be deemed desirable by said Indians and the Secretary of the Interior, ——— thousand dollars, or so much thereof as may be necessary; but no agreement made shall take effect until ratified by Congress.

With such general authority, I think an agreement could be reached with the Indians which would be satisfactory both to them and the whites who were interested in procuring the legislation under which the Ute commission is now operating.

I desire to direct attention to one other point requiring your consideration.

Section 20 of the act of August 15, 1894, authorizes and directs the appointment of a commission of three persons to allot lands in severalty to the Uncompahgres, and section 22 provides that said commission shall also negotiate with the Uintah Indians. The commission was originally composed of three persons, but one of the number, Mr. Davis, died on the 19th of August last, and his place has not as yet been filled. The question arises whether the commission could, as at present constituted, go on and negotiate with the Uintah Indians as provided in section 22 of the

act in case it should be decided to undertake such negotiations without any further legislation. It should be stated in connection with this subject that the chairman of the commission reports that with the commission composed of but two members the funds of the appropriation will not be exhausted—allowing for the payment of the expenses of the commission in returning to their homes—until the 25th day of May next.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
COMMISSION FOR ALLOTMENT OF LANDS TO INDIANS IN UTAH,
Fort Duchesne, Utah, May 6, 1895.

SIR: In your letter of March 15, 1895, you expressed the hope that the Ute Indian commissioners would be able, for the information of the Secretary of the Interior, to report to you at an early day "what portions of the Uncompahgre Reservation are unsuited or will not be required for allotment to the Indians." In response to that communication the undersigned immediately (March 22, 1895) informed you that as soon as the weather would admit of a personal inspection by them of the reservation the desired information would be promptly furnished you.

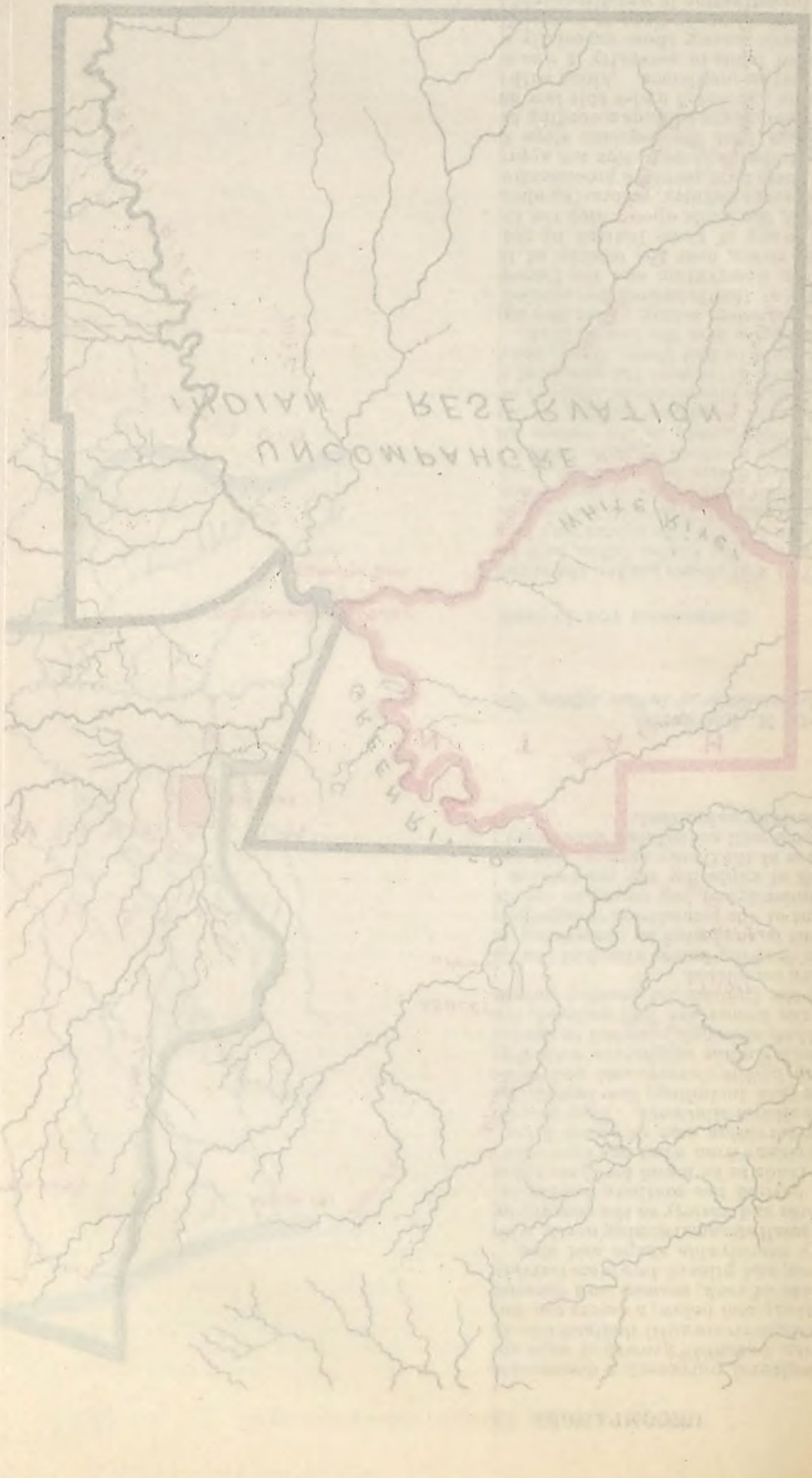
By reference to the map of Utah published by the General Land Office in 1893—a copy of which was furnished the undersigned by the Indian Office—it will be seen that the Uncompahgre Reservation proper is divided by the Green River, which enters near the middle of the northern border and passes out at southwestern corner, leaving on the western side of that stream two inconsiderable triangles, separated from each other by the southeastern slip or tongue of the Uintah Reservation, which, running down on both sides of the Duchesne River, touches the Green at or about the confluence of the two streams. From the same map it will be further perceived that the main body of the Uncompahgre Reservation, which lies east of the Green River, is divided into what may be termed northern and southern parts by the White River, which, entering from Colorado and flowing west, empties into the Green not far from the mouth of the Duchesne on the opposite side.

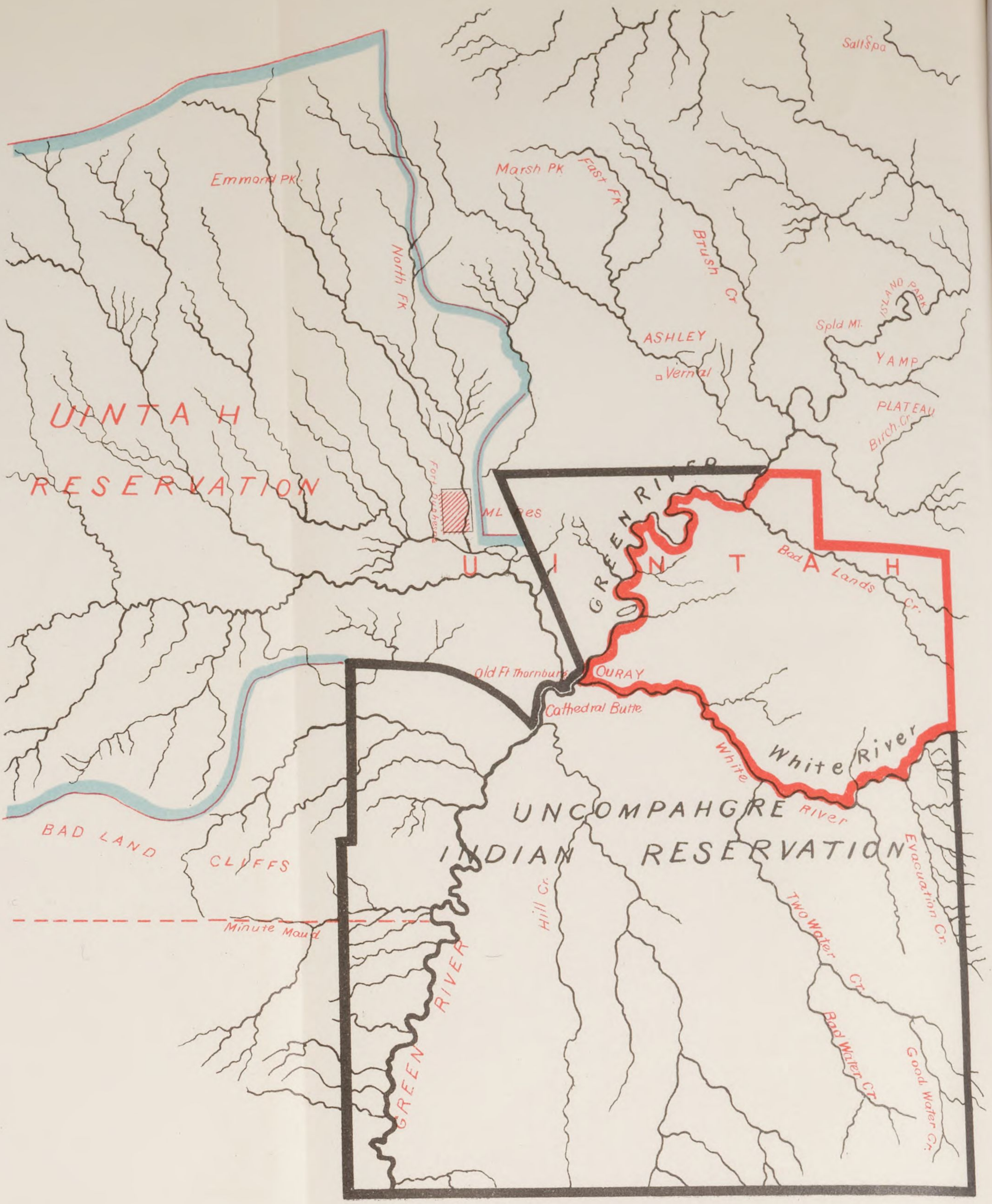
After a thorough exploration of this country east of the Green, which embraces about 1,800,000 acres of the 2,000,000 acres that make up the entire reservation, the undersigned do not hesitate to say that there is no arable land upon it suitable for Indian allotment except about 10,000 acres of bottom land extending 10 or 12 miles up the White on both sides from its mouth. This statement is somewhat in conflict with what is set forth in the report of the commissioners who settled the Uncompahgre Indians here in 1881, a clause of which is embodied in the instructions given to this commission. The whole paragraph from which the clause is taken reads as follows: "The valleys which we have selected vary from one-half to 6 miles in width. The altitude is about 48 feet. Along the Green River there is an abundance of cottonwood timber for the wants of the Indians for fencing and firewood. The bottom lands are rich and can be easily irrigated and made available by inexperienced labor. Situated as they are between the agency of the White River and the agency of the Uintah, they have hitherto been practically unoccupied because of the supposed danger in living between these two bands of Indians and along the trail from one agency to the other. Mr. Saddler has now an improved ranch in the valley of the White River, 5 or 6 miles from the agency, upon which he has this year raised a splendid crop of wheat, corn, potatoes, and other vegetables. With these lands the Indians can, if they will make the effort, eventually support themselves. It will, however, require considerable time and encouragement before they will make the best use of the opportunities now open to them."

What is here said when applied to the valley of the Duchesne and that of the White is just, but will not do when applied to any of the valley lands, great or small, of the Green. The altitude of the Green River bottoms at certain seasons of the year may indeed be 48 feet, perhaps more, but when the undersigned a few days ago crossed that river the altitude was scarcely 3 feet, and before the lapse of many days the altitude will no doubt be nothing at all, for every foot of these Green River bottoms, according to the testimony of old inhabitants, whether whites or Indians, is flooded during the spring of each year.

The Green River bottoms, it is true, where the land has not been injured by water standing upon it during the season of vegetation, can be utilized for grazing purposes, and certain Indians are now making use of them or parts of them in that way; but that they could ever be made available "by inexperienced labor" is one of those grave mistakes into which agents of the Government have not unfrequently fallen when dealing with Indians.

That portion of the reservation explored, embracing, as before said, all the land east of Green River, and both above and below the White, is, with the exception of the valley of the White (about 10,000 acres) and the valley of the Green (unsuited




Salt Spg
Emmond PK
Marsh PK
East FK
Brush Cr
North FK
ISLAND PARK
Spld Mt.
ASHLEY
Vernal
YAMP
PLATEAU
Birch Cr
UINTAH
RESERVATION
Fort Duchesne
ML Pes
GREEN RIVER
UINTAH
Bad Lands Cr.
Old Ft Thornburg
OURAY
Cathedral Butte
White River
White River
UNCOMPAHGRE
INDIAN RESERVATION
BAD LAND CLIFFS
Minute Maud
Hill Cr.
Evacuation Cr.
Two Water Cr.
Bad Water Cr.
Good Water Cr.
GREEN RIVER

for agricultural purposes), a desert—above, a desert of shifting sand, scantily supplied with a stunted growth of sage and grease wood and destitute of water after leaving these rivers until Badland Creek is reached near the northern boundary of the reservation; and below, a desert too, but instead of shifting sand one of hard gravel and sheets of rock, seamed and fissured, along which in every direction are crags, precipices, and piles of bowlders terribly broken and shattered, and thrown together in every conceivable shape and size. This rocky waste, however, is relieved by several small streams running north, which, by the aid of the vegetation that increases in richness and variety as the country in successive rolls rises to mountainous ranges on and beyond the southern border of the reservation, form about the only good pasture lands to be found for these Uncompahgre Indians.

It is evident from what has been said that the undersigned are satisfied that none of the reservation east of Green River, except the valley of the White, is suitable for agricultural allotment. They therefore suggest that all the northeastern portion, between (not including) the bottom lands of the two mentioned rivers, might be taken up by the Government and thrown open to settlement. They, however, do not make a similar suggestion with regard to the lands south of the White, for the reason that, although unsuited to agricultural allotment like the former, these lands unlike the former are well watered, furnish good pasturage, and being extensively used by the Indians for grazing purposes should be saved to them until all allotments are completed.

In the drawing hereto attached that part of the reservation which in the previous statement is suggested as comprising all the land that it would be prudent in the judgment of the commission to segregate just at this time is inclosed in red lines.

The undersigned beg to say in conclusion that they were materially assisted in the work of exploring the reservation by Mr. John McAndrews, one of the clever employees at the Ouray Agency, who by long service with the Uncompahgre Indians has become well acquainted with every part of their present country.

Respectfully submitted.

S. S. SCOTT,
T. A. BYRNES,
WM. S. DAVIS,
Ute Indian Commission.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
COMMISSION FOR ALLOTMENT OF LANDS TO INDIANS IN UTAH,
Fort Duchesne, Utah, December 21, 1895.

SIR: You will please pardon the statement, by way of introduction, of a few facts well known to the Indian Office, as it is simply made in order that all which follows in the main body of this report may be clearly understood.

By the treaty of 1880 with the confederated bands of Ute Indians in Colorado the whole of their reservation in that State, containing over 10,000,000 acres, was ceded to the United States for $1,250,000, or about 12½ cents per acre, which was about the price per acre received by them for the block of nearly 4,000,000 acres previously cut out of the reservation in the cession under what is known as the Brunot treaty of 1873; and said bands, except the Southern Utes, who were otherwise provided for, agreed to take allotments of lands in severalty, paying for the same $1.25 per acre, on the Grand River near the mouth of the Gunnison, if a sufficiency of land for the purpose could be had there; if not, the residue were to be supplied with lands at the stipulated price over the line in Utah.

The commission, acting under this agreement, located none of these Indians near the mouth of the Gunnison, but carried all of them to Utah—the White Rivers into the Uintah Reservation and the Uncompahgres to land on the Green, White, and Duchesne rivers, near the mouths of the two last-named streams. No lands were allotted to any of these Indians by that commission. Subsequently, to wit, January 5, 1882, the lands upon which the Uncompahgres were placed, with certain parts of the adjacent country, embracing about 2,000,000 acres, were set apart as a reservation for them by Executive proclamation.

By the Indian appropriation act approved August 15, 1894, it was provided, among other things, that the requisite steps should be taken to allot lands in severalty to these Uncompahgre Indians according to the terms of the treaty of 1880. The present commission appointed under this law have met with grave difficulties in the attempt to carry out its provisions. Along with the effort to induce the Uncompahgre Indians to accept of lands in severalty it was of course necessary to find lands suitable for them to take among those especially set apart for the purpose. There were over 1,000 Uncompahgre Indians to be supplied.

Upon investigation it was discovered and so reported to the Indian Office that the

lands of the White and Green rivers on the reservation (except a few thousand acres near the mouth of the former), which were supposed by the commission of 1880 to be susceptible of "easy irrigation" and adapted to "cultivation by inexperienced labor," were wholly unfitted for the purpose, as, with the exception given, there were no bottoms that amounted to much on the White, and the bottoms of the Green were subject to periodic overflows. It should be said now that subsequent investigation by an army officer and an accomplished civil engineer has shown that even the exception heretofore given of the few thousand acres at the mouth of the White was incorrect, as the difficulty of reaching the main channel of the river, especially on the south side, where most of the best arable land is found, with a canal high enough up the stream to bring irrigating water to the surface of the bottoms below, with the heavy expense that would attend the work, renders the acceptance of even these bottoms for agricultural allotments to Indians improper and unwise. So it may be affirmed that while certain parts of the Uncompahgre Reservation proper are suitable for grazing allotment none of it east of Green River, and but little of it, comparatively speaking, west of that stream, is fitted for agricultural allotment to Indians.

But there are several thousand acres subject to agricultural allotment to these Uncompahgre Indians, and perfectly adapted to the purpose in every respect, on both sides of the Duchesne River, extending from its mouth to a point 8 miles above its confluence with the Uintah. These lands are extremely rich, well wooded in places, are not subject to overflow, and can readily be irrigated—parts of them, indeed, have already been irrigated—as will appear hereafter. It is rather difficult to indicate with any certainty how many acres can be secured here for the purpose suggested, perhaps enough to furnish agricultural allotments to two or three hundred Indians. Above the 8-mile limit, however, on the Duchesne, say for 12 or 15 miles, on the south side to the place where the elevated mesa first strikes the river, extends an area of rich bottom, varying from a half mile to 2 miles in width, that can be brought under cultivation with little trouble, and which, with certain lands in the immediate vicinity on the north side, and with the lands on the lower Duchesne referred to, would be sufficient to supply farms and homes in rather a compact body to the entire Uncompahgre band. But this land being above the 8-mile limit belongs to the Uintahs and can only be secured by negotiation with them. No difficulty as to its purchase on reasonable terms is anticipated, as the Uintahs are very friendly with the Uncompahgres and would be glad no doubt to have them on their reservation.

The lands referred to on the Duchesne, lying between its junction with the Green and the wight-mile limit above the mouth of the Uintah, are the ones to which the attention of the commission has been especially directed, as being the only lands available for agricultural allotment to the Uncompahgre Indians under the law of August 15, 1894. Before taking any steps for the allotment of these lands there were serious difficulties to be met and removed by the commission. About fifteen years have elapsed since the treaty of 1880. A new generation of Indians now largely make up and control the Uncompahgre band; and to them the treaty is merely a tradition. During the twelve or more years that they have been occupying the reservation they have been accustomed to use it as their property, and the idea thus formed of its being such has been still further strengthened by their knowledge of the ownership, on the part of their brothers, the Uintah Utes, of the reservation close by. And besides, the older living Uncompahgre Indians who signed the treaty claim that they did not agree to pay for the lands which might be allotted to them in severalty, $1.25 per acre, but that the lands were to be given them in part payment for the better lands which they had so reluctantly relinquished in Colorado.

The contention of these Indians against this payment, so persistently and decidedly made in all talks had between them and the commission, seems really to spring from honest opinions and impressions. Arguing upon the hypothesis of good faith in Government agents when dealing with them, the commission has attempted to show in previous reports that the channel of communication was no doubt the cause of disagreement in the matter—that the agents either failed to make themselves understood by the interpreters or that the interpreters failed to make themselves understood by the Indians, and cases were cited in which one or the other of these things evidently occurred in previous negotiations with these very Indians. For these reasons, and others set forth in those reports, the commission urged a waiver on the part of the Government of the right to exact this sum of $1.25 per acre in the prosecution of the work of allotment.

Another point that should be mentioned in connection with this matter of waiver and the good policy of its being made is the difference between the price received by these Indians for their lands in Colorado and that which is claimed of them for the lands under the contemplated settlement, along with the difficulty of making any satisfactory explanation of the subject to such a people. As has been stated, they received for their lands in Colorado only about 12½ cents per acre. Now, they say, they are called upon to pay $1.25 per acre—just ten times as much—for lands

to live on here in Utah, where they never wanted to come. If their wishes, they continue, had been consulted at all, they would have taken their allotments on the Grand River near the mouth of the Gunnison, as the treaty of 1880 provided. It is not pretended to intimate that the above is the proper way to regard the transaction in all of its parts, but simply to indicate that such is the way these Indians look at it, and it is by no means easy to satisfy them of the justice and rightfulness of the proposed action on the part of the Government.

These Uncompahgre Indians had to be dealt with very cautiously by the commission. They have been distrustful of it from the beginning. The fires of this distrust have been kept burning, it is believed, by the talk of persons who have no love for the Indian, and perhaps no love for anything save mischief.

The commission has sought by all due methods to overcome this feeling—has striven to satisfy these Indians that the Government is their friend and is working in every way for their benefit and advancement. Any other course than one of conservatism and conciliation under the circumstances would have been likely to produce trouble, and the trouble might have become widespread.

The Uncompahgres are the leading and controlling band of the Ute Indians. Their influence with the other bands is great. While trouble with them would have certainly broken down their growing interest in schools and farming operations, and have set them many years back in the march of civilization, it might have so extended as to produce in the other bands the same evil effects; indeed, it might have gone even further and culminated in an outrage that could only have been put down after the sacrifice of many lives and the expenditure of more treasure than a half dozen such reservations are worth. But whether any undue pushing of the work of allotment might have been followed by such disastrous results or not, it would, as before said, undoubtedly have had a damaging effect upon the civilization of the Uncompahgres and, what is not likely to be regarded, would have rendered any attempt in the near future at negotiation with the Uintahs looking to their acceptance of lands in severalty and the release of any part of their reservation an impossibility.

The commission having therefore found it impracticable to induce the Uncompahgres to take the proposed allotments of lands upon the stipulated terms, decided for the grave reasons heretofore suggested to stand to the policy of getting the leading Indians of the band to accept lands for farming purposes, so situated and in such quantities—regular subdivisions of sections—as would make subsequent allotment to them easy, should Congress in its wisdom determine to let them have the lands without the payment of the $1.25 per acre so strenuously objected to by them. The commission could only work in this way through the agent for these Indians. As agent he had the right to locate them upon lands for purposes of cultivation, etc. His cooperation in the matter has been cheerful, energetic, thorough, and has been followed by most beneficial results. Already, under the arrangement, many farms have been opened on the Duchesne River, well fenced with wire and cedar posts, having necessary ditches for irrigation, and good comfortable houses all occupied by Uncompahgre families who are working to advantage and profit.

Steps have also been taken to provide a canal for a body of land on the south side of the lower Duchesne, containing about 4,000 acres, which, when houses and fences for it are constructed, will accommodate many other families of this band that are ready and waiting to take possession. So that, as before intimated, when these Indians can be induced to accept allotments, a large part of them will be able to receive the same from lands on which they have already been settled and engaged in cultivating. It should also be stated here that the Uintahs are also being prepared for severalty allotment, when the time shall come for negotiating with them, by the settling of many of this band upon well-watered and well-improved farms with excellent dwelling houses in the large and fertile valley of the Uintah River.

Respectfully submitted.

S. S. SCOTT,
T. A. BYRNES,
Ute Indian Commission.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
COMMISSION FOR ALLOTMENT OF LANDS TO INDIANS IN UTAH,
Fort Duchesne, Utah, December 23, 1895.

SIR: When your letter of the 10th instant was received I had just prepared a report with regard to the whole Uncompahgre situation here that furnishes the information desired in the first clause. The report is herewith forwarded.

With regard to the second and last clause, permit me to state that from an examination of the books it appears that, with the commission as at present constituted, the funds of the appropriation will not be exhausted, allowing, as you suggest, for

payment of expenses of the commission in returning home, until the 25th day of May next.

Very respectfully,

S. S. SCOTT,
Chairman Ute Indian Commission.

Hon. D. M. BROWNING,
Commissioner of Indian Affairs, Washington, D. C.

UINTAH AND OURAY AGENCY,
White Rocks, Utah, January 14, 1896.

SIR: Referring to instructions directing me to cooperate with the board of commissioners appointed under the provisions of section 20, act of Congress, approved August 15, 1894, for service connected with the Indians, and the reservations of this agency, I have the honor to report that I have rendered to said commissioners all the assistance in my power, and that I believe they have accomplished as much of the purpose required of them as a proper regard for the best interest of the Government, and a just and humane respect for the rights of the Indians concerned, has permitted. It is a truth known to all that have cared to inform themselves in the premises, that the Uncompahgre Reservation contains insufficient land capable of being made agricultural for supplying the individual allotment-allowance provided for by law for the Uncompahgre Utes now residing upon it, and that the cry that white home seekers are waiting in disappointment and distress the opening of the surplus lands of this reservation for them to settle upon, is simply clatter that has originated with the impatient, greedy capitalists, and their unprincipled employees, who have been for years waiting and watching for expected events that would give to them opportunities to grab and gobble up the asphalt mineral deposits that are located on the lands that will not be required in locating homesteads for the Indians.

During the service of the commissioners herein referred to the lands of the Uncompahgre Reservation that are so located as to be made available for agricultural purposes have been carefully observed, and in the plans working for the allotment of these lands to Indians full consideration has been given to the importance of providing canals and ditches for the conveyance of water thereto for irrigating purposes. Such canals and ditches have been commenced, and their construction so far advanced that they will practically be completed by the end of the present fiscal year, and embrace a system capable of irrigating all the lands of this reservation worth considering as agricultural and suitable for allotment. Besides this, a large number of homesteads with legal allotment of acreage have been laid out on section lines and inclosed with fence constructed of barbed wire on cedar posts that may be expected to last forty years. Upon 20 of these farms substantial log houses for dwellings have been constructed. These houses have paneled doors, double-sashed glass windows, shingle roof, and brick chimneys; they are respectable looking cottages. In my judgment the allotment of lands to the Uncompahgre Utes in the manner described has been commenced in a practical, humane, and common-sense way, and considering the peculiar provisions of the law under which the commissioners for such allotment are serving, no more could have been accomplished, and to have attempted more would have jeopardized the best interest of the public service.

Referring to the instructions for me to try and convince the Indians properly residing on the Uintah reservation of the advantage that would accrue to them by relinquishing a portion of their lands, I have to state that from time to time during the past year I have presented this matter to representative men of these tribes, and feel authorized to state that the way is clear for the Commissioners to commence their work of negotiating with these Indians, as prescribed for them in section 22 of the act of August, 1894, herein before referred to, and I have no doubt that for a just and fair compensation these Indians can be induced to relinquish to the United States from the west side of their reservation 1,000,000 acres of their lands.

About the same number of farms have been laid out on the Uintah Reservation with same improvements as has been done on the Uncompahgre Reservation, and the preliminary work of allotting lands advanced fully as much, perhaps more, than has been accomplished with the Uncompahgres. I feel confident that if Congress removes the provisions for the Uncompahgres to pay for lands allotted to them, that when the spring opens the largest portion of that band can be located; that the Uintahs will cheerfully consent to give up sufficient of their lands to supply whatever deficiency may exist in suitable lands to locate the Uncompahgres upon, and that the commissioners now serving with these Indians will be able to make a great showing in their report of next season's work.

Very respectfully,

JAMES F. RANDLETT,
Major, U. S. A., Acting United States Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 192.

SURVEY OF KALAMAZOO RIVER, MICHIGAN.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

With a letter from the Chief of Engineers, report of survey of Kalamazoo River, Michigan, from Lake Michigan to Saugatuck.

FEBRUARY 1, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 30, 1896.

SIR: I have the honor to inclose, herewith, a letter from the Chief of Engineers, dated January 28, 1896, together with a copy of a report from Lieut. Col. G. J. Lydecker, Corps of Engineers, dated January 21, 1896, of a survey made by him in compliance with the requirements of joint resolution of Congress, approved February 13, 1895, of Kalamazoo River, Michigan, from Lake Michigan to Saugatuck.

Very respectfully,
DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 28, 1896.

SIR: I have the honor to submit the accompanying copy of report, dated the 21st instant, with map, by Lieut. Col. G. J. Lydecker, Corps of Engineers, upon survey of Kalamazoo River from Lake Michigan to Saugatuck, made in compliance with the requirements of joint resolution of Congress approved February 13, 1895, which provides as follows:

That the Secretary of War be, and is hereby, authorized and directed to make a survey of Kalamazoo River from Lake Michigan to Saugatuck, as contemplated in Executive Document Numbered One hundred and ninety-nine, House of Representatives, Fifty-third Congress, third session.

Colonel Lydecker submits the following estimate as the cost of effecting the improvement contemplated:

Building 9,000 linear feet sheet-pile revetment, at $8	$72,000
Building 1,600 linear feet pile piering, at $25	40,000
Restoring 4,575 linear feet old piers and revetments, at $6	27,450
Dredging 175,000 yards, at 10 cents	17,500
Add 10 per cent for contingencies	15,695
Total	172,645

Colonel Lydecker states that from the steamboat landing at Sauga-

tuck for a distance of 1¾ miles a small amount of dredging is all that appears to be needed for establishing a satisfactory channel throughout this section, and channels dredged here would have considerable permanence. But from the lower end of this section down to Lake Michigan, a distance of 1¼ miles, the conditions are different. Here the bed and banks of the river are clear sand, and bare sand banks rise from the water's edge to an elevation in some places of 150 feet.

Channels dredged here have not had and can not have an appreciable permanence unless the river banks are protected by sand-tight revetments, and even these could afford but little obstruction to the drift of sand over them, resulting in a rapid filling of the channelway between them.

It is Colonel Lydecker's opinion that the cost of an efficient system of plantations for controlling the drift of sand into the lower portion of the river would probably increase the aforesaid estimate to $200,000, and that the maintenance of the projected improvements would be a source of continuing expense.

Recognizing the objections respecting the plan outlined, Colonel Lydecker submits an alternative project, which provides for the abandonment of the lower section of the river and the making of a new cut through to Lake Michigan, as shown approximately on the map; and it is his belief that the amount of excavation therefor would not exceed 400,000 cubic yards. On this basis he estimates the cost of this alternative project to be:

2,800 linear feet sheet-pile revetment, at $10	$28,000
2,600 linear feet pile piers, at $25	65,000
Excavation (dredging) 400,000 cubic yards, at 10 cents	40,000
	133,000
Add 10 per cent for contingencies	13,300
Total	146,300

Dredging in the river above the cut would increase the above total to about $150,000, and it is stated that, if this project be adopted, the first appropriation made should, in the interest of economy, be sufficient to complete the work with as little delay as possible and without interruption.

The above estimates contemplate an entrance channel having a navigable depth of 12 feet.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF KALAMAZOO RIVER, MICHIGAN.

UNITED STATES ENGINEER OFFICE,
Detroit, Mich., January 21, 1896.

GENERAL: The following report on a survey of a portion of the Kalamazoo River, Michigan, is submitted to comply with the requirements of a joint resolution by Congress, approved February 13, 1895, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed to make a survey of Kalamazoo River from Lake Michigan to Saugatuck, as contemplated in Executive Document Numbered One hundred and ninety-nine, House of Representatives, Fifty-third Congress, third session, to be paid for out of appropriation heretofore made for surveys.

Approved, February 13, 1895.

The field work of the survey was executed in July and August, 1895,

and results platted as opportunity offered in the office during the succeeding fall months, the completion of the map and tracing being thereby delayed until the early part of January, 1896. A blue print of the map is now forwarded in a separate roll.

The distance by river from the entrance between the Government piers at its mouth to the steamboat landing at Saugatuck is a little over 3 miles. From the latter point for a distance of $1\frac{3}{4}$ miles downstream the general depth of water, referred to the datum plane of the survey, is 12 feet or more, and a small amount of dredging is all that appears to be needed for establishing a satisfactory channel throughout this section. The bed of the river here is generally gravel and shells, and channels dredged through this material would have considerable permanence. But from the lower end of this section down to Lake Michigan, a distance of $1\frac{1}{4}$ miles, the condition of affairs is very different; here the bed and banks are clear sand, the depth of water is generally less than 10 feet, and in some places is from $5\frac{1}{2}$ to 8 feet only; bare sand banks rise from the water's edge to an elevation of 150 feet in some places. Channels dredged here can have no appreciable permanence unless the river banks are protected by sand-tight revetments, and even these could afford but little obstruction to the drift of sand over them, resulting in a rapid filling of the channelway between them.

Appropriations aggregating a little over $150,000 have been expended since 1869 in efforts to improve this section of the river in the way above indicated, but the results have been most unsatisfactory, as the map now presented clearly shows. It is proper to note, however, that the complete revetments needed to give the best results have not been built, and such as have been have deteriorated so as to permit the passage of large quantities of sand. These conditions have resulted from the fact that appropriations have been too small to permit the construction and maintenance of the necessary works, and for a number of years past it has not been possible to do anything more than open temporary channels by dredging when the demand for navigation was the greatest; that is, during the months of August and September.

For the radical improvement of this section of the river to the extent heretofore contemplated the following course is, in my judgment, imperative:

1. Both banks of the river must be provided with sand-tight revetments.

2. The present piers at the mouth must be thoroughly repaired, made sand tight, and extended to the curve of 15-foot depths in Lake Michigan; at present they terminate at the 5-foot curve.

3. The channelway between piers and revetments must be dredged to the desired depth.

4. The drift of sand over top of revetments must be restricted, as far as possible to do it, by creating a covering growth over the adjoining bare dunes. The practicability of this step and its cost are points concerning which I have not been able to form any satisfactory conclusion.

The following is submitted as an estimate of cost of the foregoing project:

Building 9,000 linear feet sheet-pile revetment, at $8	$72,000
Building 1,600 linear feet pile piering, at $25	40,000
Restoring 4,575 linear feet old piers and revetments, at $6	27,450
Dredging 175,000 yards, at 10 cents	17,500
	156,950
Add 10 per cent for contingencies	15,695
Total	172,645

Of the foregoing total only about $5,000 is estimated as needed for improving the upper section of the river, in which dredging alone is needed, as stated in the beginning of this report.

The cost of any efficient system of plantations for controlling the drift of sand would probably carry the total cost of the improvement to about $200,000. The cost of maintaining the foregoing improvement, with its great development of revetments, would be a matter of continuing expense.

Recognizing the objections that must attach to the foregoing project of improvement, I have made careful study to see whether a better one can not be devised, and am thereby led to submit the following alternative project, viz: Abandon the lower section of the river and make a new cut through to Lake Michigan approximately on the line A B, shown in red on the blue print. From the data presented by our survey I am not able to make a precise estimate of the amount of excavation that would be necessary to cut through and connect with deep water in Lake Michigan by this project, but I believe it safe to say that it would not exceed 400,000 cubic yards.

On this basis the cost of the project may be estimated as follows:

2,800 linear feet sheet-pile revetment, at $10	$28, 000
2,600 linear feet pile piers, at $25	65, 000
Excavation (dredging) 400,000 cubic yards, at 10 cents	40, 000
	133, 000
Add 10 per cent for contingences	13, 300
Total	146, 300

Dredging in the river above the cut would increase the above total to about $150,000.

Comparing this with the first project we find the distance from Saugatuck to Lake Michigan to be about 1 mile shorter, and the aggregate length of piers and revetments to be but 5,400 feet, as against about 15,000 feet; the control of drifting sand would also be a simpler and less expensive matter. On the whole, it is quite evident that the first cost and cost of subsequent maintenance would be the smaller for the new project, and the distance from Lake Michigan to Saugatuck reduced by about a third. But if this project should be adopted it is important that the first appropriation be sufficient to carry the work to completion.

The estimates above contemplate an entrance channel whose navigable depth shall be 12 feet. With respect to this point it is necessary to explain that the datum plane of the survey is that which has been adopted for maps and charts of harbors in Lakes Michigan and Huron, that plane being 3.06 feet below high water of 1838; but with the stage of water now prevailing on these lakes the water surface is about 2.75 feet below the established datum, and the result is that the depths of water indicated on our maps are, really, nearly 3 feet greater than the actual depths at the present time.

Very respectfully, your obedient servant,

G. J. LYDECKER,
Lieut. Col. of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 193.

FORT ETHAN ALLEN MILITARY RESERVATION.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of War submitting an additional estimate of appropriation for lands, Fort Ethan Allen Military Reservation.

FEBRUARY 3, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 1, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War, of the 31st ultimo, submitting an additional estimate of appropriation, $3,000, for additional lands, Fort Ethan Allen Military Reservation.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington City, January 31, 1896.

SIR: I have the honor to forward herewith for transmission to Congress an estimate ($3,000) of a deficiency in the appropriation for "additional lands, Fort Ethan Allen Military Reservation," for which object the sum of $7,000 was appropriated in the sundry civil act of August 18, 1894.

The owner of the land required for the use of the United States having declined to convey the same for the amount appropriated for this object, condemnation proceedings were entered upon, and the court confirmed an award of ten thousand dollars, making it necessary that Congress should appropriate the additional sum of $3,000 before the land can be acquired under the original act.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SECRETARY OF THE TREASURY.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 30, 1896.

SIR: On October 10, 1893, necessary legislation was recommended for extending the military reservation of Fort Ethan Allen, Vt., to the Winooski River, the circumstances which made purchase essential to the welfare of the post being for protection of present United States right of way for sewer and water pipes across the land, for garden purposes, for prevention of undesirable elements sure to collect at some point near a military post, and further to provide a good bathing place for men and horses.

In act making appropriation for sundry civil expenses, approved August 18, 1894, the following appears:

> To enable the Secretary of War to acquire the title for military purposes to additional lands, not exceeding one hundred and ninety acres, required to extend the military reservation of Fort Ethan Allen, near Essex Junction, Vermont, to the Winooski River, subject to the right of way through said lands of the Winooski and Essex highway, and the right of way of the Central Vermont Railway, seven thousand dollars: *Provided*, That in acquiring the land for the purpose the Secretary of War is authorized to proceed in accordance with the act approved March third, eighteen hundred and ninety-one, making appropriations for sundry civil expenses under title "Chickamauga and Chattanooga National Park."

The owner of almost entire tract, Graton Brand, having positively declined to sell for the amount appropriated, condemnation proceedings, at request of the Secretary of War, were instituted through the Department of Justice.

Under date of the 28th instant, the War Department was advised, through Department of Justice, that—

> The court has accepted and confirmed the report of the Commissioners, and ordered that Graton Brand, the owner of the land, convey the same to the United States, by good and sufficient deed of warranty, upon payment by the United States of the $10,000 so awarded as damages.

An estimate in due form for the required additional $3,000 is herewith submitted for action of Congress, with blue print of the land proposed for acquirement.

Respectfully,
R. N. BATCHELDER,
Quartermaster-General, United States Army.

The SECRETARY OF WAR.

Estimates of appropriations required for the service of the fiscal year ending June 30, 18 .
by the Quartermaster's Department, United States Army.

Additional lands, Fort Ethan Allen Military Reservation:

To enable the Secretary of War to acquire the title, for military purposes, to additional lands, not exceeding 190 acres, required to extend the military reservation of Fort Ethan Allen, near Essex Junction, Vt., to the Winooski River, subject to the right of way through said lands of the Winooski and Essex highway and the right of way of the Central Vermont Railway: *Provided*, That in acquiring the land for the purpose the Secretary of War is authorized to proceed in accordance with the act approved March 3, 1891, making appropriations for sundry civil expenses, under the title "Chickamauga and Chattanooga National Park." (Act August 18, 1894, vol. 28, p. 403, sec. 1) $3,000

Amount appropriated 7,000

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MAP OF PROPOSED EXTENSION OF FORT ETHAN ALLEN MILITARY RESERVATION.

CAPT GUY HOWARD, A.Q.M., U.S.A.

MEADOW LAND	82.5 ACRES
SWAMP LAND	25.6 "
ROUGH LAND	35.9 "
RIVER & BANK	8.8 "
SAND PLAIN	9.0 "
HIGHWAY	7.0 "
C.V.RR.	21.2 "
TOTAL	190.0 "

Scale, 1 inch = 300 ft. Chas. L. Woodbury, C.E.

FEBRUARY 1895.

TOTAL AREA 190. A.
DEDUCT HIGHWAY RIGHT OF WAY 7. A
DEDUCT RAILROAD RIGHT OF WAY 21.2 A 28.2 A.
AREA TO BE ACQUIRED 161. 8 A.
OWNED BY MR. G. BRAND, 160.5 A.
OWNED BY MR. M.F. KELLY, 1.3 A.

FORT ETHAN ALLEN
COLCHESTER
TOWN LINE
ESSEX
HIGHWAY 7 ACRES
C.V.R.R.
21.2 ACRES
SWAMP 17.6 ACRES.
ROUGH LAND.
MEADOW
82.5 ACRES
SAND PLAIN 9 ACRES.
SWAMP 8 ACRES.
MEADOW
KELLY GROUND. 1.3 A.
8.8 ACRES
RIVER
WINOOSKI
RIVER
WATER
BANK
HOUSE
BARNS
S.68°30'W. 2362 FT.
N.68°15'W. 827 FT.
N.68°10'W. 567 FT.
N.43°E. 2085 FT.
S.48°30'E. 1120 FT.
S.48°30'E. 1279 FT.
N.40°E. 340 FT.
N.80°E. 410 FT.
S.81°30'E. 368 FT.
N.80°E. 440 FT.
N.85°E. 230 FT.
N.85°45'E. 678 FT.
N.49°45'E. 320 FT.
N.85°10'E. 612 FT.
S.49°30'E. 500 FT.
N.0°10'E. 1480 FT.

*67266 Q.M.G.O.

THE ROBERT PETERS CO. PHOTO-LITHO. WASHINGTON, D.C.

H Doc 193. 54 1

Limits as determined in 1895: Commissioners awarded $10,677 as value etc, which was confirmed by the Court: Dec '96 — 3000 additional acres of Congress; 7000 having been given in S.C. Bills of Aug 18 1894: T.O. 43-1894

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 194.

CONSTRUCTION AND REPAIR OF NAVAL VESSELS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of the Navy submitting an estimate of an additional appropriation for construction and repair of naval vessels.

FEBRUARY 3, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 1, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Navy of the 31st ultimo, submitting an estimate for an additional appropriation of $350,000 for construction and repair of naval vessels for the current fiscal year, to be made immediately available.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NAVY DEPARTMENT,
Washington, January 31, 1896.

SIR: I have the honor to transmit herewith an estimate of appropriation for $350,000 under the appropriation "Construction and repair, 1896," to be immediately available, together with a copy of a letter from the Chief of the Bureau of Construction and Repair in relation thereto.

Very respectfully,

H. A. HERBERT, *Secretary.*

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, D. C., January 7, 1896.

SIR: In connection with the Bureau's letter of November 21, 1895, relative to the condition of appropriation "Construction and repair, 1896," the Bureau desires to state that the available balance remaining

to the credit of that appropriation December 31, 1895, as reported by the Bureau of Supplies and Accounts, is $244,854, showing the expenditures and obligations to have been for the first half of the fiscal year $655,146.

The cost of general maintenance for all purposes, care and preservation of Government property, care of dry dock, etc., at the several navy-yards and naval stations for the remainder of the fiscal year will reduce the balance available for authorized work on vessels, for work hereafter authorized, and for the purchase of stores for vessels in commission to about $80,000.

In view of the small amount available for work on vessels, etc. ($80,000), which will soon be expended, the Bureau recommends that an appropriation of $350,000 be requested for the use of the Bureau under appropriation "Construction and repair, 1896," to be made immediately available.

Very respectfully,

PHILIP HICHBORN,
Chief Constructor U. S. N., Chief of Bureau.

The SECRETARY OF THE NAVY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1896, by the Bureau of Construction and Repair, Navy Department.

Construction and repair of vessels:

For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, pneumatic steerers; steam capstans, steam windlasses, and other steam auxiliaries; labor in navy-yards and on foreign stations; purchase of machinery and tools for use in shops; wear, tear, and repair of vessels afloat; general care, increase, and protection of the Navy in the line of construction and repair; incidental expenses, such as advertising, freight, foreign postage, telegrams, telephone service, photographing, books, professional magazines, plans, stationery, and instruments for the the drafting room. In addition to the amount appropriated for current fiscal year, and to be immediately available (act March 2, 1895, vol. 28, p. 835, sec. 1) $350,000

Amount appropriated for the current fiscal year ending June 30, 1896... 900,000

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 195.

KILLING OF CERTAIN ITALIAN LABORERS IN COLORADO.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of State, with correspondence, in relation to the lawless killing of certain Italian laborers in the State of Colorado.

FEBRUARY 3, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

To the Congress:

In my last annual message allusion was made to the lawless killing of certain Italian laborers in the State of Colorado, and it was added that "the dependent families of some of the unfortunate victims invite by their deplorable condition gracious provision for their needs."

It now appears that in addition to three of these laborers who were riotously killed, two others who escaped death by flight, incurred pitiable disabilities through exposure and privation.

Without discussing the question of the liability of the United States for these results, either by reason of treaty obligations or under the general rules of international law, I venture to urge upon the Congress the propriety of making from the public Treasury prompt and reasonable pecuniary provision for those injured and for the families of those who were killed.

To aid in the consideration of the subject, I append hereto a report of the Secretary of State, accompanied by certain correspondence, which quite fully presents all the features of the several cases.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, February 3, 1896.

The PRESIDENT:

I hand you herewith copies of the correspondence on file in this Department relating to the case of the Italians lynched at Walsenburg, Colorado, in March, 1895.

The facts are without dispute, and no comment or argument can add to the force of their appeal to the generous consideration of Congress.

Three persons were killed outright, while two others sustained injuries of a character the most disabling as well as painful. The only question would seem to be as to the amount of the gratuity in each case, which must rest of course wholly in the discretion of Congress, to whom it can hardly be necessary to cite the statutes of many States of the Union fixing the maximum to be exacted in the case of death caused by negligence at the sum of $5,000.

Very respectfully, yours, RICHARD OLNEY.

DEPARTMENT OF STATE,
Washington, January 30, 1896.

CORRESPONDENCE.

LIST OF PAPERS.

Baron Fava to Mr. Gresham, March 13, 1895.
Mr. Uhl to Baron Fava, March 13, 1895.
Baron Fava to Mr. Gresham, March 14, 1895.
Mr. Uhl to Baron Fava, March 14, 1895, with inclosures.
Mr. Uhl to Baron Fava, March 15, 1895, with inclosure.
Mr. Uhl to Baron Fava, March 16, 1895, with inclosure.
Mr. Uhl to Baron Fava, March 16, 1895, with inclosure.
Baron Fava to Mr. Gresham, March 16, 1895.
Baron Fava to Mr. Gresham, March 16, 1895.
Mr. Uhl to Baron Fava, March 18, 1895, with inclosure.
Baron Fava to Mr. Gresham, March 18, 1895.
Mr. Uhl to Baron Fava, March 20, 1895, with inclosure.
Baron Fava to Mr. Gresham, March 27, 1895, with inclosure.
Mr. Gresham to Governor McIntire, April 5, 1895.
Mr. Uhl to Baron Fava, April 6, 1895.
Mr. Gresham to Baron Fava, April 18, 1895, with inclosure.
Mr. Olney to Baron Fava, June 13, 1895, with inclosures.
Mr. Olney to Baron Fava, June 24, 1895, with inclosures.
Mr. Olney to Baron Fava, June 25, 1895.
Baron Fava to Mr. Olney (received October 18, 1895), with inclosure.
Mr. Uhl to Baron Fava, October 23, 1895.
Mr. Uhl to Governor McIntire, October 23, 1895.
Baron Fava to Mr. Olney, November 27, 1895.
Baron Fava to Mr. Olney, November 29, 1895.
Mr. Olney to Baron Fava, December 2, 1895.
Mr. Olney to Governor McIntire, December 27, 1895.
Governor McIntire to Mr. Olney, January 7, 1896.
Governor McIntire to Mr. Olney, January 15, 1896, with inclosure.
Mr. Olney to Governor McIntire, January 21, 1896.

Baron Fava to Mr. Gresham.

[Translation.]

ROYAL ITALIAN EMBASSY,
Washington, March 13, 1895.

Mr. SECRETARY OF STATE:

From the papers of this day I learn that four Italian laborers have been killed by a mob at Walsenburg, Colo., and that owing to the excitement occasioned by this deed armed conflicts are feared.

Not having received any information on the subject, I am going to request the royal consulate at Denver to report upon the subject.

Your excellency would do me a very great favor if you would telegraph to the governor for information, after the truth of the reports has been ascertained, and to request him at the same time to make every effort

in order that the Italian subjects living in the aforesaid locality may be protected by the laws and the authorities against popular violence.

Tendering your excellency my thanks in advance for the reply you will kindly send me as soon as possible,

I avail, etc.,

FAVA.

Mr. Uhl to Baron Fava.

No. 8.] DEPARTMENT OF STATE,
Washington, March 13, 1895.

MY DEAR BARON: Your note of to-day's date relating to the press reports of the killing of four Italian laborers at Walsenburg, Colo., has been received.

I have telegraphed the governor of Colorado for information on the subject, and upon receipt of a reply from him will promptly advise you.

Very truly, yours,

EDWIN F. UHL,
Acting Secretary.

Baron Fava to Mr. Gresham.

[Translation.]

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, March 14, 1895.

Mr. SECRETARY OF STATE:

By my note dated yesterday I informed your excellency that I had asked the royal consul at Denver detailed information concerning the occurrences at Walsenburg.

That royal official has now telegraphed me that four Italians have been put to death by the mob, while being taken to prison, and two in the jail itself.

While having the honor of bringing the foregoing to your excellency's knowledge, I hasten to express to you my firm belief that the Federal Government will not hesitate to advise the proper authorities of the State of Colorado, to cause the persons guilty of the six murders committed to be brought before the courts.

Accept, etc.,

FAVA.

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington, March 14, 1895.

MY DEAR BARON: In connection with my note to you of yesterday concerning the reported violence in Colorado, I take pleasure in herewith transmitting for your further information a copy of my telegram to his excellency the governor of that State, and copies of Governor McIntire's two replies of yesterday and to-day. The first reached me late last night and the second early this morning.

Very truly, yours,

EDWIN F. UHL,
Acting Secretary.

[Inclosure 1—Telegram.]

Mr. Uhl to Governor McIntire.

DEPARTMENT OF STATE,
Washington, March 13, 1895.

At the instance of the Italian ambassador at this capital, who learns from press reports of the killing of four Italian laborers at Walsenburg, Colo., I have to request that you inform me as to the truth of these reports. Also as to the present situation in that locality, and the ability of the local authorities to prevent further disorder.

EDWIN F. UHL, *Acting Secretary.*

[Inclosure 2—Telegram.]

Governor McIntire to Mr. Uhl.

DENVER, COLO., *March 13, 1895.*

Your telegram of this date received. In reply will say that I have wired for information to the sheriff of the proper county, and have directed him to protect his prisoners and maintain order. It is probable from the information I have received that the Italians alleged to have been killed are American citizens, but as to this I have no positive information. I am in communication with the acting Italian consul here, whom I have assured I will take all necessary steps in the matter. I have report from colonel commanding nearest place of disturbance, that he can put troops aboard cars within two hours.

ALBERT W. MCINTIRE,
Governor of Colorado.

[Inclosure 3—Telegram.]

Governor McIntire to Mr. Uhl.

DENVER, COLO., *March 14, 1895.*

Since wiring you I have received following from sheriff at Walsenburg:

"Last night while conveying prisoners from Rouse to Walsenburg armed mob held up posse, killed driver and one prisoner; two prisoners ran and have not since been found. Don't know whether killed or not. This occurred about 7 p. m. At 1 a. m. mob broke into jail and shot to death two prisoners implicated in some murder. All Italians except driver."

On receipt of which I telegraphed him as follows:

"Wire me at once whether you are maintaining order and protecting prisoners, and whether you have sufficient force to prevent further mob violence, and whether excitement has abated. You are expected to prevent recurrence of violence to prisoners. Take every precaution to protect life and property, and as soon as possible ascertain who composed the mob which did the lynching and as soon as practicable arrest them."

To which I received the following reply:

"Everything quiet to-night. Will wire particulars in morning. Have not found two prisoners that got away at time they were being held up by mob."

Will obtain and forward full information as promptly as possible. I see no reason for anticipating further trouble. It is not yet known whether the Italians killed [were] American citizens.

ALBERT W. MCINTIRE.

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington, March 15, 1895.

MY DEAR BARON: I herewith inclose a copy of a further telegram from his excellency the governor of Colorado, of the 15th instant, touching the reported killing of Italian subjects at Walsenburg, in that State.

Very truly, yours,

EDWIN F. UHL,
Acting Secretary.

[Inclosure—Telegram.]

Governor McIntire to Mr. Gresham.

DENVER, COLO., *March 15, 1895.*

I am just in receipt of a detailed account by telegraph from sheriff at Walsenburg. It does not differ materially from the newspaper reports. Inquest held, and, as I am informed, thorough investigation made. Evidence in writing subscribed by witness and filed in office of clerk of district court. Sheriff further reports that there has been no trouble of any kind since and no danger, and that he is thoroughly able to maintain peace, and no danger of uprising of Americans or Italians. Am in receipt of telegram from ambassador for Italy saying in part, "Please give orders for immediate action against murderers of Italians." Immediate action will be urged on proper authorities looking to arrest and punishment of guilty persons. The acting Italian consul informs me that he leaves to-night for Walsenburg. I have given him such letters as he asks for to the sheriff. From every source of information I am satisfied that everything is quiet. Have taken steps to ascertain nationality of deceased.

A. W. MCINTIRE,
Governor of Colorado.

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington, March 16, 1895.

MY DEAR BARON: I hasten to inclose for your information a copy of a telegram which I have this day addressed to his excellency the governor of Colorado, touching the recent occurrences at Walsenburg, in that State.

Very truly, yours, EDWIN F. UHL, *Acting Secretary.*

[Inclosure 1—Telegram.]

Mr. Uhl to Governor McIntire.

WASHINGTON, *March 16, 1895.*

Your telegrams in regard to the reported killing of certain Italians at Walsenburg have been received, and I have communicated their purport to the Italian ambassador, from whom I have a note expressing his belief that the Federal Government will advise the proper authorities of the State of Colorado to cause the persons guilty of the murders to be brought before the courts. Our treaty of 1871 with Italy guarantees to Italian subjects in the United States "the most constant protection and security for their persons and property, and [that they] shall enjoy in this respect the same rights and privileges as are and shall be granted to the natives on their submitting themselves to the conditions imposed upon the natives."

Your dispatches show your appreciation of the duty incumbent on the jurisdictional authorities to use every effort to secure to Italians, and all others menaced by unlawful force, full protection of life and property, and in case of wrongdoing against them that the guilty parties will be apprehended, brought to trial, and, upon conviction, duly punished. The assurance is gratifying to the President that in the line of your responsible duty every legitimate means at your command will be employed to protect the imperiled subjects of a friendly power, and that justice will be visited upon all who violate the law to their injury.

EDWIN F. UHL, *Acting Secretary.*

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington, March 16, 1895.

MY DEAR BARON: I hasten to send for your information a copy of a telegram from his excellency the governor of Colorado of to-day's date, touching the recent affair at Walsenburg, in that State.

Very truly, yours,

EDWIN F. UHL, *Acting Secretary.*

[Inclosure—Telegram.]

Governor McIntire to Mr. Gresham.

DENVER, COLO., *March 16, 1895.*

I have reliable information that two of the Italians lynched positively had first and probably second citizenship papers. Not known whether Danino was an American citizen. It is asserted that the two prisoners who may have escaped from first attack of mob had first citizenship papers. The fate of the last two not known, as they have not been heard from since their escape. I have directed proper district attorney to take speedy steps looking to arrest and conviction of the guilty parties in the Walsenburg affair.

ALBERT W. MCINTIRE, *Governor.*

Baron Fava to Mr. Gresham.

[Translation.]

EMBASSY OF HIS MAJESTY, THE KING OF ITALY,
Washington, March 16, 1895.

MR. SECRETARY OF STATE:

I have the honor to acknowledge the receipt of the letters dated respectively the 14th, 15th, and 16th instants, by which your excellency was pleased to transmit to me the telegraphic correspondence exchanged between the honorable Department and his excellency the governor of Colorado, in relation to the killing of the Italians at Walsenburg.

While extending to your excellency my thanks for these courteous communications, and requesting that the aforesaid governor be also thanked, I seize the opportunity of again expressing my firm belief that the Federal Government, as well as the authorities of the State of Colorado, will agree with me upon the necessity there is in bringing before the courts all those who may be found to be guilty of the murder of the Italian subjects.

Accept, etc., FAVA.

Baron Fava to Mr. Gresham.

[Personal.]

EMBASSY OF ITALY,
Washington, March 16, 1895.

MY DEAR MR. GRESHAM:

I am in receipt of your note of this date inclosing a copy of the telegram addressed by you to his excellency the governor of Colorado, relating to the killing of Italians at Walsenburg.

In reply I hasten to inform you that a copy of said telegram will be forwarded at once to his excellency Baron Blanc, who, I am sure, will share with me the full appreciation of the course taken in this matter by the Federal Government as well as by the governor of Colorado.

With my personal thanks for your kind communication, I remain, etc.,
FAVA.

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington March 18, 1895.

MY DEAR BARON: I inclose herewith for your further information in regard to the Colorado incident copy of a telegram received from

Governor McIntire, dated the 17th instant, stating that he has issued a proclamation offering a reward of $1,000 for the apprehension and conviction of the guilty parties.

Very truly, yours,

EDWIN F. UHL,
Acting Secretary.

[Inclosure—Telegram.]

Governor McIntire to Mr. Uhl.

DENVER, COLO., *March 17, 1895.*

Your telegram received. Proper district attorney assures me he will use every means to arrest and convict guilty. I have issued proclamation offering reward of $1,000, the limit under our statutes, for apprehension and conviction of all or any.

ALBERT W. MCINTIRE, *Governor.*

Baron Fava to Mr. Gresham.

[Translation.]

EMBASSY OF ITALY,
Washington, March 18, 1895.

MR. SECRETARY OF STATE:

I have received, as an inclosure to your excellency's note of this date, the text of the telegram which was addressed to you yesterday by his excellency the governor of Colorado for the purpose of informing you that the competent district attorney will take all necessary steps to cause the persons who are guilty of the murder of the Italians at Walsenburg to be arrested and punished, and that his excellency has issued a proclamation offering a reward of $1,000 for their arrest and punishment.

I have already communicated the foregoing to His Majesty's Government, and in the meantime I have the honor to convey to your excellency, and through you to his excellency the aforesaid governor, my personal thanks for this communication, the importance of which is fully appreciated by me.

Be pleased to accept, etc.,

FAVA.

Mr. Uhl to Baron Fava.

DEPARTMENT OF STATE,
Washington, March 20, 1895.

MY DEAR BARON: I take pleasure in inclosing, for your further information in regard to the Walsenburg affair, copy of a telegram received from Governor McIntire last evening.

Very truly, yours,

EDWIN F. UHL,
Acting Secretary.

[Inclosure—Telegram.]

Governor McIntire to Mr. Uhl.

DENVER, COLO., *March 19, 1895.*

Acting Italian consul returned last night from Walsenburg. Called on me this morning. Expressed himself satisfied with course of authorities there. It is certain that Vittone and Ronchietto had taken out first papers. Lorenzo Andinino, hereto-

fore called Danino, is probably not an American citizen, but may be. Giacobino, who escaped from first attack, is safe; feet badly frosted. Gobetto is believed to be safe also. These two men, as I am informed, took out first papers.

ALBERT W. MCINTIRE, *Governor.*

Baron Fava to Mr. Gresham.

[Translation.]

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, March 27, 1895.

Mr. SECRETARY OF STATE:

I have the honor to send you herewith a copy of the report in which the person in charge of the royal consulate of Italy at Denver refers to me the matter of the grievous incidents which occurred at Walsenburg, Colo., on the 13th instant.

The contents of the said report seem to establish the fact that neither in the attack made at the Bear Creek Bridge by masked people upon the prisoners who were in the custody of two armed sheriffs, nor in the breaking into the Huerfano County jail, did the public force make any resistance whatever.

This circumstance, which, moreover, was never contradicted in the telegraphic reports from the governor, kindly communicated to me by your excellency, evidently settles the responsibility of the local authorities, and I deem it my duty to at once call the special attention of your excellency and through your excellency that of the governor of the State to this responsibility, placing full reliance upon the impartiality and justice of both for an equitable adjustment of this serious question.

In regard to the nationality of the persons killed, the inclosed report, bating subsequent and better information, seems to me to agree with the reports heretofore transmitted to you by His Excellency [Governor] McIntire, viz: That of the three victims, one, Lorenzo Andinino, was not naturalized, and the other two, Vittone Stanslao and Vincenzo Ronchietto, had simply secured the first letters of naturalization and were not, therefore, in full possession of United States citizenship.

Accept, etc., FAVA.

[Inclosure No. 1—Translation.]

The Italian Consul at Denver to Baron Fava.

ROYAL CONSULATE OF ITALY,
Denver, Colo., March 21, 1895.

YOUR EXCELLENCY: Referring to my telegram of day before yesterday, directed to your excellency, and in conformity with your previous instructions, I proceeded to Walsenburg, and have now the honor to give you the following information:

The number of the Italians killed is reduced simply to three, to wit, one in the attack at the bridge over Bear Creek, near Walsenburg, and two in the jail.

As your excellency already knows from other sources, the body of one, A. J. Hixon, an American saloon keeper, was found in the coal field of Rouse, Huerfano County, on the morning of the 11th instant.

Public rumor accused some Italian miners of that neighborhood of being the perpetrators of the crime. This rumor was confirmed by the coroner's inquest, a copy of which is annexed, from which it appears that the real perpetrator of the murder of Hixon was one Lorenzo Andinino, who was found guilty at that preliminary investigation and was immediately taken to the Huerfano County jail in Walsenburg.

As the result of this inquest nine Italian miners were arrested, four of whom were soon afterwards set at liberty, and the others, to wit, Peitro Giacobini, Stanislao Vittone, Antonio Gobetto, and Francesco Ronchietto, under the escort of two deputy

sheriffs, set out, at about 6 p. m., in a wagon for Walsenburg, which is about 7 miles from Rouse.

When they had arrived within about a mile of Walsenburg, toward 7 o'clock, and at the moment when they were on a bridge over the torrent, Bear Creek, a man on horseback met the wagon and ordered the driver to stop.

This having been done, he ordered the prisoners to get out of the wagon, and he and four or five other persons, also on horseback, who were at the side of the bridge, began to follow the Italians, striking them repeatedly in the back with shots from revolvers and Winchesters, according to the statement of the deputy sheriffs. One of the four, Vittone, was killed instantly, and his body was found the next morning near the bridge. Another, Ronchietto, was shot in the region of the heart, but the ball merely entered the subcutanean tissue, and he was found that same night, March 12, some hours after the attack, taken to jail, and placed in the same cell in which Andinino was confined.

The other two, Gobetto and Giacobini, took to flight, and in spite of the repeated shots fired at them the latter made his escape in the manner which I shall narrate further on; but I have had no news of Gobetto up to this time, though I cherish the hope that he is in safety.

Subsequently, at 1 o'clock in the morning, seven persons, armed and masked, penetrated into the county jail, deceiving the guard by calling for Sheriff O'Malley, and shot to death two Italians who were confined there, sparing another prisoner of German nationality who was in the same cell.

I here transcribe the particulars touching the birth, relationship, age, etc., of the murdered men:

Lorenzo Andinino, son of Giacomo Andinino, deceased, of the commune of Cantarana, province of Alessandria, on provisional furlough in the third class, was born January 30, 1871.

I am not aware that Andinino had made application for American citizenship, as he declared under oath to the governor in the jail, as will be seen in the papers relating to the case which I am expecting.

Francesco Ronchietto, son of Serafino Ronchietto, and Giustina Abbeville, was born August 3, 1869, at Salto, jurisdiction of Cuorque, district of Ivrea, province of Turin, and was a corporal in the Eleventh Infantry, on indefinite furlough.

He declared his intention to become an American citizen on the 11th of July, 1894, at the proper office at Walsenburg, Huerfano County, Colo., and took out his first papers.

Stanislao Vittone, son of Giusseppe (Joseph) Vittone, was born at Salto, jurisdiction of Ivrea, district of Ivrea, province of Turin, and was 28 years old.

He declared his intention to become an American citizen on the 28th of October, 1893, at Trinidad, Las Animas County, Colo., and took out his first papers.

I also inclose a copy of the inquest (verdict) of the coroner's jury in the case of the three Italians.

As to the authorities, I must frankly inform your excellency that I have no cause for complaint, for, from the governor of the State down to the authorities of Huerfano County, they all placed themselves at my disposal.

His excellency the governor, as an act of special deference to Italy, issued, as your excellency is probably aware, a proclamation offering a reward of $1,000, the largest sum that is allowed by the law of the State, for the detection of one or all of the Walsenburg murderers.

On Saturday last, at 9 o'clock in the evening, I was confidentially informed by the district attorney at Walsenburg that Peitro Giacobini had been found by some Mexicans at about 10 miles from Cuchara. Giacobini had wandered through the mountains ever since the fatal night, having gone for four days and four nights without either food or drink. He was found with his lower limbs frozen, his strength exhausted, and almost lifeless. They took him to the railway station at Cuchara in the midst of a cavalcade; there the sheriff examined him, took him under his protection, and advised him to say that he was a Frenchman.

Deeming it my duty to interview the unfortunate man, I set out at half past 9 o'clock, passing through a perfectly desert country. When I reached Cuchara I placed Giacobini under oath, and from him I learned that they were attacked at Bear Creek Bridge by a single person on horseback, and that the two deputy sheriffs made no resistance whatever. Your excellency may attach what value you please to this story.

The next morning I had Giacobini taken to the hospital at Pueblo, and at first amputation was thought necessary, but that danger now appears to be over.

Thus far no arrest has been made at either Walsenburg or at Rouse. I hope, however, that in process of time something will be done, because I have faith in the local authorities, whose honor is at stake in having the thing turn out well and to the satisfaction of both the Government at Washington and that at Rome.

I beg your excellency to accept, etc.,

DR. CUNEA, *Royal Consul.*

ANNEX NO. 1.

Copy of inquest on A. J. Hixon.

VERDICT.

That the said A. J. Hixon came to his death on the morning of the 11th instant, in the town of Rouse, by being struck on the head by some blunt instrument, probably the weapon produced in evidence, the injuries being inflicted by the hands of Lorenzo Danino and others; and we further believe that the same was committed with felonious intent.

D. R. HUDWAN HERMAN,
P. D. LEONARD,
WALTER HOLT,
N. D. LEE,
JNO. PRIETT,
SAM NAYMAN,
Jurors.

D. MATHEWS, *Coroner.*

ANNEX NO. 2.

Verdict on the body of Stanislao Vittone.

That the said Stanislao Vittone here, lying dead, came to his death on the 12th day of March, 1895, Huerfano County, Colo., by gunshot wounds inflicted by the hands of unknown persons, the same being done with felonious intent. The body was found near Creek Bridge.

D. B. JONES,
P. I. BROWN,
H. TAYLOR,
R. W. MOYER,
G. W. CAST,
H. GORDON,
Jurors.

D. W. MATHEWS, *Coroner.*

Mr. Gresham to Governor McIntire.

DEPARTMENT OF STATE,
Washington, April 5, 1895.

SIR: In connection with the Department's letter of to-day inclosing for your information copies of notes from the ambassador of Italy, in relation to the recent lynching of four laborers at Walsenburg, I have now the honor to invite your attention to the following extracts from your telegrams upon that subject, having particular reference to the nationality of the victims. The Department has not yet received the essential evidence upon that point which is necessary for a discussion of the subject with Baron Fava and a correct decision in the premises.

Your telegram of March 13 last asserts that from information received it is probable "that the Italians alleged to have been killed are American citizens, but as to this, I (you) have no positive information."

Again you say in your telegram of the 4th ultimo, narrating the shooting of the prisoners by the mob, "all Italians except the driver. * * * It is not yet known whether the Italians killed [were] American citizens."

Your telegram of March 15 informs me that you "have taken steps to ascertain nationality of deceased."

In one of the 16th ultimo you observe that you "have reliable information that two of the Italians lynched positively had first, and probably second citizenship papers, not known whether Danino was an American citizen. It is asserted that the two prisoners who may have escaped from first attack of mob, had first citizenship papers."

Your concluding telegram of March 19, says:

It is certain that Vittone and Ronchietto had taken out first papers. Lorenzo Andinino, heretofore called Danino, is probably not an American citizen, but may be. Giacobino, who escaped from first attack, is safe. * * * Gobetta is believed to be safe also. These two men as I (you) am informed, took out first papers.

Under these circumstances it will doubtless occur to you that the Department should be placed immediately in possession of any evidence tending to show the exact political status of each victim at Walsenburg.

The President does not doubt that you have adopted all necessary measures for the arrest and punishment of the guilty parties.

I have, etc.,

W. Q. GRESHAM.

Mr. Uhl to Baron Fava.

No. 11.] DEPARTMENT OF STATE,
Washington, April 6, 1895.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 27th ultimo, in regard to the Walsenburg, Colo., incident, and to inform you that a copy of your note and of its inclosure has been furnished his excellency the governor of Colorado.

Accept, etc.,

EDWIN F. UHL, *Acting Secretary.*

Mr. Gresham to Baron Fava.

No. 20.] DEPARTMENT OF STATE,
Washington, April 18, 1895.

EXCELLENCY: Referring to previous correspondence and your oral inquiries relating to the killing of Italian miners near Walsenburg, Colorado, I have the honor to inclose a copy of a letter just received from the governor of that State reporting the action thus far taken by its authorities.

Accept, etc., W. Q. GRESHAM.

[Inclosure.]

Governor McIntire to Mr. Gresham.

STATE OF COLORADO,
Executive Office, Denver, April 12, 1895.

SIR: Replying to your letter of April 5, I have the honor to say that I have not yet been able to ascertain positively anything further as to the nationality of the three laborers lynched at Walsenburg. I have questioned the district attorney of the proper district, but he was unable to give me more definite information than that

which I already had and telegraphed you on March 19. He assured me that he would gain the information as early as possible and place it at my disposal. In the same consultation with the district attorney the propriety of calling a special term of the district court for the purpose of investigating the lynching was discussed.

It was impossible at that time to arrive at a definite conclusion without an interview with the judge of that district, and since, as I am informed, the judge and district attorney are constantly engaged in other counties of the district. I am assured that as soon as the terms which must be held under the law have been disposed of the judge and district attorney will take up this matter and dispose of it as speedily as possible. The disposition shown by the district attorney and, as I am informed by him, by the judge of the district mentioned, is such that I am satisfied that all necessary measures for the arrest and punishment of the guilty parties will be taken, so far as lies within their jurisdiction. So far everything possible has been done looking to the protection of Italian citizens and to the discovery of the guilty parties.

I have, etc., ALBERT W. MCINTIRE, *Governor.*

Mr. Olney to Baron Fava.

No. 37.] DEPARTMENT OF STATE,
Washington, June 13, 1895.

EXCELLENCY: Referring to previous correspondence and your oral inquiry made at the Department on the 6th instant, I have the honor to inclose copy of a letter from the governor of Colorado, transmitting one from the district attorney of the third judicial district, pointing out the steps taken and to be taken by the State authorities for the purpose of bringing to justice the persons engaged in the murder of the Italians at Walsenburg in March last.

Accept, excellency, etc., RICHARD OLNEY.

[Inclosure 1.]

Governor McIntire to Mr. Uhl.

DENVER, COLO., *June 7, 1895.*

I have the honor to inclose a copy of a letter from the district attorney of the third judicial district, in which the county of Huerfano lies. The cause of delay in receiving a reply from him is indicated in the first part of the letter.

I have the honor, etc.,

ALBERT W. MCINTIRE, *Governor.*

[Inclosure No. 2.]

Mr. Ross to Governor McIntire.

DENVER, COLO., *June 3, 1895.*

DEAR SIR: I have just received your communication of date of April 11, regarding nationality of persons lynched at Walsenburg. The letter was addressed to me to Bent County, and consequently went to Washington and was from there returned to sender and addressed to me at Trinidad; hence the delay.

I will say, sir, that both Judge Northcutt and myself will do all in our power to obtain for you the information you ask for as to the nationality of those men. We will also make request of the county judge of Huerfano County to change the administrator, as per your suggestion to me. Also, when the district court convenes in Huerfano County (in October), or sooner if you desire, we will call a grand jury in order to make a thorough investigation of the lynchings that took place there. I will be in Denver some time during the month of June and see you in person about the Walsenburg affair.

Yours, respectfully, E. R. Ross.

Mr. Olney to Baron Fava.

No. 43.] DEPARTMENT OF STATE,
Washington, June 24, 1895.

EXCELLENCY: Referring to previous correspondence and your interview with the Acting Secretary of State on the 6th instant, relative to the nationality of the three miners of Italian origin killed near Walsenburg, Colo., in March last, I have the honor to inclose a copy of a letter from the governor of that State, transmitting one from the clerk of the district court of Huerfano County, from which it appears that Ronchietto and Vittone had taken out their first papers, but had not completed their naturalization as American citizens, and that there is no evidence that Danino or Danenis had taken any steps to throw off his Italian allegiance.

Accept, etc., RICHARD OLNEY.

[Inclosure.]

Governor McIntire to Mr. Uhl.

STATE OF COLORADO,
Executive Office, June 15, 1895.

SIR: I have the honor to inclose a statement by the clerk of the district court of Huerfano County, giving the facts as he ascertained them concerning the citizenship of certain Italians killed at Walsenburg. All the information obtained inclines me to believe that the clerk's statement is correct.

I have, etc., ALBERT W. MCINTIRE, *Governor.*

[Inclosure No. 2.]

Mr. Roof, clerk of court, to Governor McIntire.

JUNE 15, 1895.

DEAR SIR: I am advised by the Hon. Jesse G. Northcutt, judge of the third judicial district of this State, that you desire such information as has been obtained concerning the citizenship of the three Italians recently killed in this county by a mob, and herewith I have the honor to submit such information as I have obtained from the records of this court and inspection of the coroner's records, and from conversation had with the coroner holding the inquests and the deputy district attorney appearing on behalf of the people.

The names of the three persons killed were Francesco Ronchietto, Stanislao Vittoni, and Lorenzo Danenio. Of these Ronchietto declared his intention to become a citizen of the United States before the clerk of this court on July 7, 1894, the record of which is now on file. Vittoni, at the time of his death had in his possession a certified copy of his declaration to become a citizen of the United States, under the seal of the district or county court of Las Animas County, Colo. I am unable to advise as to the date or the court, but I am informed that the copy was given to Dr. Cuneo, Italian consul, a few days after the killing.

Danenio was presumably an Italian subject, no evidence having been discovered as to his having taken any steps toward becoming a citizen of this country. He was a witness at the inquest on the body of A. J. Hixon (the alleged murder of whom was presumably the moving cause of the mob), and on the stand was asked if he was a citizen of the United States, to which he replied no.

None of the parties, so far as known, had at any time taken the final naturalization oath.

I have, etc., FRED. O. ROOF,
Clerk of the District Court of Huerfano County, Colo.

Mr. Olney to Baron Fava.

No. 44.] DEPARTMENT OF STATE,
Washington, June 25, 1895.

EXCELLENCY: Referring to your interview with the Acting Secretary of State on the 6th instant, relative to the delay in investigating the killing near Walsenburg, Colo., in March last, of three miners of Italian origin, I have the honor to say that I am in receipt of a letter from the governor of that State announcing that he would shortly have a consultation with the judge and district attorney of the district in which Huerfano County is situated, and would then advise the Department.

The governor points out that it is difficult for one accustomed to proceedings in thickly settled communities to understand apparent delays in sparsely settled regions. The district concerned embraces a large number of counties, in which the terms of court are by law held at certain stated periods, generally with not more than two terms a year, frequently with only one. The same judge presides in all the courts of these different counties, and it is impossible, until the regular terms of court are at an end for the season and an interval can be found, to have investigated by the district attorney or the grand jury matters in counties in which the term of court for that season has been before held. There has been no term of court in Huerfano County since the killing of the miners.

Accept, etc.,

RICHARD OLNEY.

Baron Fava to Mr. Olney.

[Personal.]

EMBASSY OF ITALY,
Washington, October, 1895. (Received October 18.)

MY DEAR MR. OLNEY:

With reference to our last conversation, I have the honor to transmit herewith to your excellency, accompanied by a summary, the statements which have been forwarded to me by my Government relative to the family situation of the five Italians lynched at Walsenburg, Colo., in March last.

It results from the said statements, delivered by the municipal authorities of the birthplaces of these individuals, that two of the three Italians who have been killed were not married, but have left numerous relatives, and one was married and has left a wife with three children. Of the other two Italians who had their frozen feet amputated at the hospital, one has a son, his wife being dead, and the other has a wife and a daughter.

In submitting these official documents to your excellency's examination, I leave to your high and benevolent appreciation to suggest the amount which may be deemed suitable to indemnify the families of the victims of the Colorado mob, according to the spirit of justice which prompts all your actions.

It will give me much pleasure to know at your earliest convenience your excellency's views on this subject.

With my best thanks in advance, believe me, etc.

FAVA.

[Inclosure No. 1—Translation.]

PROVINCE OF ALESSANDRIA, *Commune of Cantarana d'Asti.*

In re the family of Lorenzo Andenino.[1]

The undersigned syndic hereby declares that the immediate family of Lorenzo Andenino, 24 years of age, unmarried, son of Giovanni Andenino, deceased, and Luigia Cittarello, deceased, consists of himself alone. His relatives are:

1. Carlo Andenino, son of Giovanni Andenino, deceased, 38 years of age, wife, Margherita Nebiolo, 30 years of age.
   Giovanni Andenino, son of Carlo, 9 years of age.
   Fillipo Andenino, son of Carlo, 7 years of age.
   Lorenzo Andenino, son of Carlo, 5 years of age.
   Secondo Andenino, son of Carlo, 2 years of age.
2. Peitro Andenino, son of Giovanni Andenino, deceased, brother of Lorenzo, 28 years of age, wife, Delfina Quirico, 23 years of age, daughter of Luigi Quirico. No children.
3. Marietta Andenino, daughter of Giovanni Andenino, deceased, wife of Francesco Andenino, son of Andrea Andenino, deceased.
   Giovanni Andenino, son of Francesco Andenino, 16 years of age.
   Rosa Andenino, daughter of Francesco, 14 years of age.
   Luigia Andenino, daughter of Francesco, 11 years of age.
   Onorina Andenino, daughter of Francesco, 5 years of age.
   Andrea Andenino, son of Francesco, 2 years of age.
4. Onorino Andenino, daughter of Giovanni, sister of Lorenzo, and wife of Domenico Mottura, a resident of Ferrere d'Asti.
   Michele Mottura, son of Domenico, 9 years of age.
   Giovanni Mottura, son of Domenico, 5 years of age.
   Giuseppe Mottura, son of Domenico, 3 years of age.
5. Teresa Andenino, daughter of Giovanni, deceased, 19 years of age, wife of Giuseppe Vasino, residing at San Damiano d'Asti. No children.

[Inclosures 2 and 3.]

2.

I have the honor to inform your excellency that, from the information received, it appears that Francesco Ronchietto, son of Serafino Ronchietto, deceased, and Giustina Ablasille, deceased, born August 3, 1869, at Salto, corporal in the Second Regiment of Infantry, on indefinite leave of absence, and lynched at Walsenburg, was unmarried. He left the following brothers and sisters, all of whom were born and are now domiciled at Salto:

1. Antonio, born December 20, 1870.
2. Felice, born March 7, 1872, messenger.
3. Maria, born July 24, 1876, operative.
4. Celso, born January 9, 1878, tinker.
5. Giacomo, born January 18, 1880, farm boy.

3.

Stanislao Vittone, also lynched at Walsenburg was reputed to be the son of Giuseppe Vittone, but was in reality the son of unknown parents. He was taken from the hospital at Turin, where he went by the name of Arable, but he was afterwards called Vittone, because he was brought up by the Vittone family of Salto.

Stanislao Vittone left a wife, viz, Maria Avansile, daughter of Antonio Avansile, born July 4, 1864, at Salto, a farm woman, with the following children:

1. Giuseppe, 7 years of age.
2. Anna, 6 years of age.
3. Maggiorino, 2 years of age.

The brothers and sisters of Francesco Ronchietto own real estate valued at 5,000 lire. The widow and children of Arable have no property.

[Inclosure No. 4.]

The syndic, having made due inquiry, and also from the personal acquaintance which he has with Pietro Giacobino, son of Francesco Giacobino and Domenica Ric-

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[1] The Christian name is frequently put after the family name in Italian. In this translation the English order has been observed.

cio, born in this place September 14, 1861, a widower, having formerly been married to Maria Littizzetto, and father of a son who is 9½ years of age:

Hereby declares that Pietro Giacobino's parents own no property in Bosconero, and that so far as is known they do not own any in any other place, and that Pietro Giacobino went to America in quest of work as a laborer or miner so that he might assist his aged father, who is blind.

PENE AGOSTINEZ, *Acting Syndic.*

BOSCONERO, *July 23, 1895.*

[Inclosure No. 5.]

COMMUNE OF PAVONE CAVANESE.

The undersigned syndic hereby certifies that the family of Antonio Eusebio Cobetto is as follows:

1. Antonio Eusebio Cobetto, born at Pavone Cavanese February 1, 1871, son of Giovanni Giule, deceased.
2. Giovanni Domenico Cobetto, deceased, father.
3. Elisabetta Boralo, daughter of Giacomo and the late Clara Cobetto, born at Pavone Cavanese, June 9, 1870; married.
4. Giovanna Cobetto, daughter of Antonio Eusebio Cobetto and Elisabetta Beralo, born November 2, 1893.

This certificate is issued on free paper at the request of the officer in command of the police station at Qualingra.

For the syndic. FRANCESCO RONCO, *Assessor.*

PAVONE CAVANESE, *August 3, 1895.*

Mr. Uhl to Baron Fava.

[Personal.]

DEPARTMENT OF STATE,
Washington, October 23, 1895.

MY DEAR BARON FAVA:

I have received your personal note, undated, filed in this Department on the 18th instant, relative to the indigent condition of the families of the Italians lynched in Colorado, and beg to say in reply that the matter has been referred to the governor of Colorado for his consideration.

Very sincerely, yours,

EDWIN F. UHL.

Mr. Uhl to Governor McIntire.

DEPARTMENT OF STATE,
Washington, October 23, 1895.

SIR: Adverting to your letter of June 15 last, in regard to the trial of the offenders at Walsenburg, I have now the honor to apprise you of the receipt of a note from the Italian ambassador of the 17th instant, accompanied by a summary of the statements received from his Government concerning the families of the Italians lynched at that place in March last. I inclose copy, in translation, of these documents tending to show that two of the three Italians killed were unmarried but that they left numerous relatives; the other was married and left a widow with three children. Of the two other Italians whose frozen feet were amputated at the hospital, one has a son (his wife being dead) and the other a wife and daughter.

Baron Fava, in submitting these documents, mentions no specific indemnity in either case but rather trusts that a high and honorable sense of justice will determine a suitable amount to indemnify the families of the victims of the Colorado mob.

In this aspect of the matter the Department will be glad to receive an expression of your views as to the probable action of the State of Colorado in the light of the Italian ambassador's presentation of the subject.

I have, etc.,

EDWIN F. UHL,
Acting Secretary.

Baron Fava to Mr. Olney.

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, November 27, 1895.

Mr. SECRETARY OF STATE:

From the correspondence had with the Department of State relative to the killing of five Italian subjects at Walsenburg, Colo., in the month of March last, and especially from the notes which your excellency was pleased to address to me on the 13th and 24th of June last (Nos. 37 and 43), it appeared evident that the authorities of the State of Colorado were firmly purposed to do all in their power in order to detect and punish the murderers. In a letter, a copy of which was sent to me with your excellency's note of June 13 (said letter having been addressed on the 8th of that month to the governor of the aforesaid State), the district attorney of the third judicial district promised that at the October term of the Huerfano County district court, or even sooner, a grand jury would be empaneled in order that it might carefully investigate the lynching at Walsenburg.

Your excellency remarked, in your esteemed communication of June 24th, at the delay in such investigations was simply due to the fact that it was impossible for the district attorney and the grand jury to hold them before the regular time for the session of the court, which had not sat in that county since the date of the lynching.

I need not remind your excellency how desirable it is to avoid delay in securing the detection and punishment of the guilty parties, which is desired both by the United States Government and that of the King and how much it would conduce to this object if the time for the session of the court in Huerfano County could be fixed at an earlier day, since the date mentioned by the district attorney of the third district in June last can no longer be considered correct.

For the reasons above stated I trust that your excellency, whose lofty spirit of justice is well known to me, will be pleased once more to use your good offices with the authorities of the State of Colorado, to the end that they may expedite, as far as possible, judicial proceedings against the Walsenburg lynchers.

Be pleased to accept, Mr. Secretary of State, a renewed assurance of my highest consideration.

FAVA.

Baron Fava to Mr. Olney.

[Personal.]

WASHINGTON, *November 29, 1895.*

MY DEAR MR. OLNEY:

In our conversation of the 18th of September last I had the honor to inform you that my Government, whom I had duly acquainted of your oral invitation to formulate a demand for indemnity in behalf of

the families of the Italians lynched in Colorado, had authorized me to formulate the said demand, and specified all the amount of this indemnity while transmitting to me to that purpose the certificates showing the situation of the families of the victims.

I thought it suitable to declare on that occasion, that personally preferring, as far as the amount of the indemnity was concerned, to apply to the benevolent appreciation of the United States Government itself, I desired you should suggest to me the said amount, and that in the meantime I stood ready to submit to you the list of the Italians who had been lynched, together with the official documents showing the situation of their families.

As you expressed the wish to receive from me a written communication, I felt it my duty to address to you on the 16th of October a private letter, couched in the terms agreed between us. To this letter, however, Mr. Uhl replied on the 23d of the same month, "that the matter had been referred to the governor of Colorado for his consideration."

Having subsequently secured to myself the honor of another interview with your excellency on the 26th of October, I pointed out that Mr. Uhl's communication did not answer to the contents of my letter of October 16; that the arrangements which the Department of State might deem it proper to enter into with the governor of Colorado do not concern me; and that the question of the indemnity could only be treated by me with the United States Government.

You have been then so kind as to explain to me that Mr. Uhl's reply had no other meaning but to merely inform me that the Department of State had taken the matter in hand and that you naturally wished, as a preliminary step, to come to an understanding with the governor of Colorado about the amount and the payment of the indemnity.

As a considerable period of time has elapsed since my private communication of the 16th October, I have the honor to apply once more to your courtesy, earnestly requesting you to let me kindly know the amount of the indemnity which, in its high sense of equity and justice, the United States Government would feel inclined to grant to the families of the victims of the Walsenburg outrage. The more so as these destitute families are in great need of relief, and my Government urges me to inform it on the subject.

Believe me, etc.,

BARON FAVA.

Mr. Olney to Baron Fava.

No. 88.] DEPARTMENT OF STATE,
Washington, December 2, 1895.

EXCELLENCY: I have a confidential communication, under date of October 29, from the governor of Colorado, respecting the postponement of the criminal proceedings against the Walsenburg Italian lynchers, the substance of which I shall be glad to make known to you at our next interview.

The governor expresses the strongest desire that the guilty parties may be punished and his conviction that the postponement is a necessary means to that end.

Accept, etc., RICHARD OLNEY.

Mr. Olney to Governor McIntire.

DEPARTMENT OF STATE,
Washington, December 27, 1895.

SIR: With reference to previous correspondence touching the prosecution of the parties suspected of perpetrating the outrages upon Italian subjects at the Walsenburg mines, I have the honor to inform you that the Italian ambassador at this capital feels some apprehension lest local prejudice may influence the minds of the grand jury before whom the matter will regularly come for investigation, and that his Government would be better satisfied if the inquiry should be made by a grand jury of some other county sufficiently remote from the locality of the occurrence to insure unbiased consideration of the evidence that may be submitted.

Without knowing whether his request is practicable under the constitution and laws of the State of Colorado, I submit it for such action as to you may seem proper, feeling assured that all lawful effort will be made to ascertain who are the guilty parties and to bring them to justice.

I have, etc.,

RICHARD OLNEY.

Governor McIntire to Mr. Olney.

STATE OF COLORADO,
Executive Office, Denver, January 7, 1896.

SIR: I have the honor to acknowledge receipt of your communication of December 27, 1895, with reference to the grand jury for the investigation of the matter of the outrages upon Italian subjects at the Walsenburg mines, and the desire of his excellency the Italian ambassador that that jury be selected from some other county sufficiently remote from the locality where the outrages occurred, so that local prejudice might not interfere with proper consideration of the evidence, etc. I have referred the matter to the judge of the district, who alone has the power to call a grand jury within that territory, for information as to whether or not he has the authority to so call the grand jury for this case, and upon receipt of his reply will be able to answer you more specifically in that regard.

I have no doubt that the honorable judge of the proper district will adopt the suggestion of the Italian ambassador, if he can do so under our constitution and laws, and if in his own judgment the interests of justice will be advanced by that course. I thank you for your assurance that you have confidence in the authorities here that "all lawful effort will be made to ascertain who are the guilty parties and to bring them to justice," and beg leave to assure you that that confidence is not misplaced.

I have, etc., A. W. MCINTIRE, *Governor.*

Governor McIntire to Mr. Olney.

STATE OF COLORADO,
Executive Office, Denver, January 15, 1896.

SIR: Further replying to your letter of December 27, 1895, I have the honor to transmit a copy of the letter of the district judge of the third judicial district, in which district lies the county of Huerfano. I

have also had the opinion of the attorney-general of this State to like effect with that contained in the letter of Judge Northcutt. I am, on careful consideration, unable to form any different opinion concerning the jurisdiction of a grand jury of any other county than Huerfano County in the unfortunate matter under consideration.

I am, etc.,

A. W. McINTIRE, *Governor.*

[Inclosure.]

Judge Northcutt to Governor McIntire.

DEAR GOVERNOR: In response to your communication of the 4th instant, transmitting copy of inquiry from the Secretary of State, I respectfully suggest, after a hurried examination which I have been permitted to make, that in my judgment the opinion of the attorney-general is correct. By general section 1467, M. S., our criminal procedure, except as by statute otherwise provided, is according to the common law. Nowhere in our statutes or Constitution is the jurisdiction of a grand jury defined.

At common law the grand jury are sworn to inquire only for the body of the county, pro corpore comitatus, and therefore they can not regularly inquire of a fact done out of that county for which they are sworn, unless particularly provided by statute. (4 Black, 304.)

The powers of grand juries are coextensive with and limited by the criminal jurisdiction of the courts of which they are a consistent part. (9. A &. E. Ency. of Law, p. 14, paragraph 5.)

Thomp. & M. on Juries, section 615 et. seq. From the authorities cited it is clear to my mind that the grand jury of a county would have no greater power than the court itself. And as is well known the court sitting within and for one county has no power or jurisdiction to take cognizance of crimes committed in any other county save as they are brought before him upon change of venue upon the application of the accused. To illustrate, district court sittings in and for Las Animas County would have no power or authority to grant to the district attorney leave to file in said court an information charging A. B. with crime as having been committed within Huerfano County.

We are satisfied that any action taken upon the matter under consideration by a grand jury outside of Huerfano County would be absolutely void.

It is something of a breach of propriety for me to go so far in these observations upon a matter that may possibly come before me judicially. I feel, however, that the digression is justified by reason of the source of the inquiry and the importance of the subject-matter.

Entertaining an abiding hope in the efficiency of our officers and their determination to vindicate the law and protect the good name of our fair Commonwealth, I beg leave to remain,

Yours, truly,

JESSE G. NORTHCUTT.

Mr. Olney to Governor McIntire.

DEPARTMENT OF STATE,
January 21, 1896.

SIR: I have the honor to acknowledge the receipt of your letter of the 15th instant, stating the opinions of the attorney-general of Colorado and of the district judge in regard to the Walsenburg lynching, that a grand jury drawn from any other county than Huerfano would not have jurisdiction.

I have transmitted copies of your letter and its inclosure to the Italian ambassador.

I have, etc.,

RICHARD OLNEY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 196.

MILITIA FORCE OF THE UNITED STATES.

LETTER

FROM

THE ASSISTANT SECRETARY OF WAR,

TRANSMITTING

An abstract of the militia force of the United States.

FEBRUARY 4, 1896.—Referred to the Committee on the Militia and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 1, 1896.

SIR: In compliance with the provisions of section 232, Revised Statutes of the United States, I have the honor to transmit herewith abstract of the militia force of the United States, according to the latest returns received at the office of the Adjutant-General, United States Army, for the year 1895.

Very respectfully,

JOSEPH B. DOE,
Assistant Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Abstract of the militia force of the United States according to the latest returns received at the office of the Adjutant-General, United States Army, for the year 1895.

States and Territories.	Organized strength.										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
STATES.											
Alabama:											
General staff	...	13	.....	.....	13	.....	.....	.....	.....	13	.....
Cavalry	...	.....	2	11	13	28	1	116	145	158	.....
Light batteries	...	.....	2	14	16	30	3	126	159	175	.....
Infantry, white	...	.....	33	132	165	339	.....	1,529	1,868	2,033	.....
Infantry, colored	...	.....	2	9	11	20	2	90	112	123	.....
Total	...	13	39	166	218	417	6	1,861	2,284	2,502	165,000
Arkansas:											
General and general staff	1	22	.....	.....	23	.....	.....	.....	.....	23	.....
Cavalry	...	.....	.....	4	4	8	1	27	36	40	.....
Light batteries	...	.....	1	3	4	10	2	28	40	44	.....
Infantry	...	.....	15	61	76	176	74	498	748	824	.....
Signal corps	...	.....	.....	1	1	2	.....	11	13	14	.....
Total	1	22	16	69	108	196	77	564	837	945	205,000
California:											
Generals and general staff	4	67	.....	.....	71	10	.....	.....	10	81	.....
Cavalry	...	.....	.....	16	16	56	8	208	272	288	.....
Infantry	...	.....	69	144	213	715	196	2,705	3,616	3,829	.....
Signal corps	...	.....	.....	4	4	21	.....	47	68	72	.....
Total	4	67	69	164	304	802	204	2,960	3,966	4,270	203,523
Colorado:											
General and general staff	1	12	.....	.....	13	.....	.....	.....	.....	13	.....
Cavalry	...	.....	.....	6	6	9	2	85	96	102	.....
Light batteries	...	.....	.....	2	2	10	1	27	38	40	.....
Infantry	...	.....	25	38	63	102	11	590	703	766	.....
Total	1	12	25	46	84	121	14	702	837	921	85,000
Connecticut:											
General and general staff	1	10	.....	.....	11	5	.....	.....	5	16	.....
Light batteries	...	.....	.....	5	5	15	2	59	76	81	.....
Infantry	...	.....	52	111	163	523	193	1,608	2,324	2,487	.....
Signal corps	...	.....	.....	4	4	12	.....	25	37	41	.....
Machine-gun battery	...	.....	.....	5	5	13	1	19	33	38	.....
Total	1	10	52	125	188	568	196	1,711	2,475	2,663	104,678
Delaware:											
Generals and general staff	3	16	.....	.....	19	1	.....	.....	1	20	.....
Infantry	...	.....	4	24	28	87	15	242	344	372	.....
Total	3	16	4	24	47	88	15	242	345	392	28,080
Florida:											
Total all arms	...	.....	20	64	84	208	54	713	975	1,059	60,000
Georgia:											
General staff	...	83	.....	.....	83	.....	.....	.....	.....	83	.....
Cavalry	...	.....	18	40	58	126	5	394	525	583	.....
Light batteries	...	.....	.....	7	7	26	2	111	139	146	.....
Infantry	...	.....	92	204	296	629	31	2,568	3,228	3,524	.....
Ambulance corps	...	.....	.....	.....	.....	4	.....	4	8	8	.....
Total	...	83	110	251	444	785	38	3,077	3,900	4,344	264,021
Idaho:											
General staff	...	13	.....	.....	13	.....	.....	.....	.....	13	.....
Infantry	...	.....	8	21	29	63	30	459	552	581	.....
Total	...	13	8	21	42	63	30	459	552	594	*17,857

*Estimated.

Abstract of the militia force of the United States, etc.—Continued.

States and Territories.	Organized strength.										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
STATES—continued.											
Illinois:											
Generals and general staff.	5	55	.....	.....	60	4	.....	.....	4	64	.....
Cavalry	...	.....	.....	9	9	20	.....	125	145	154	.....
Light batteries	...	.....	.....	8	8	22	4	91	117	125	.....
Infantry	...	.....	80	271	351	740	159	4,676	5,575	5,926	.....
Total	5	55	80	288	428	786	163	4,892	5,841	6,269	700,000
Indiana:											
General and general staff..	1	10	.....	.....	11	.....	.....	.....	.....	11	.....
Light batteries	...	.....	3	12	15	33	24	122	179	194	.....
Infantry	...	.....	44	133	177	423	102	1,991	2,516	2,693	.....
Total	1	10	47	145	203	456	126	2,113	2,695	2,898	525,000
Iowa:											
Generals and general staff.	2	48	.....	.....	50	5	.....	.....	5	55	.....
Infantry	...	.....	62	139	201	483	184	1,398	2,065	2,266	.....
Signal corps	...	.....	.....	4	4	4	.....	16	20	24	.....
Hospital corps	...	.....	.....	.....	.....	8	.....	16	24	24	.....
Total	2	48	62	143	255	500	184	1,430	2,114	2,369	274,597
Kansas:											
Generals and general staff.	4	18	.....	.....	22	8	3	.....	11	33	.....
Light batteries	...	.....	.....	5	5	15	2	42	59	64	.....
Infantry	...	.....	26	80	106	233	72	1,187	1,492	1,598	.....
Total	4	18	26	85	133	256	77	1,229	1,562	1,695	100,000
Kentucky:											
General and general staff..	1	16	.....	.....	17	.....	.....	.....	.....	17	.....
Infantry	...	.....	35	72	107	281	30	1,162	1,473	1,580	.....
Total	1	16	35	72	124	281	30	1,162	1,473	1,597	408,000
Louisiana:											
Generals and general staff.	2	11	.....	.....	13	.....	.....	.....	.....	13	.....
Light batteries	...	.....	12	35	47	76	34	339	449	496	.....
Infantry	...	.....	21	81	102	218	22	990	1,230	1,332	.....
Total	2	11	33	116	162	294	56	1,329	1,679	1,841	138,000
Maine:											
Infantry	...	.....	22	64	86	242	81	806	1,129	1,215	.....
Hospital and ambulance corps	...	.....	.....	1	1	4	.....	17	21	22	.....
Signal corps	...	.....	.....	1	1	3	.....	15	18	19	.....
Total	...	.....	22	66	88	249	81	838	1,168	1,256	104,196
Maryland:											
General and general staff..	1	24	.....	.....	25	.....	.....	.....	.....	25	.....
Infantry	...	.....	40	70	110	354	51	1,156	1,561	1,671	.....
Total	1	24	40	70	135	354	51	1,156	1,561	1,696	150,000
Massachusetts:											
Generals and general staff.	2	20	.....	.....	22	14	2	.....	16	38	.....
Cavalry	...	.....	9	9	18	47	7	176	230	248	.....
Light batteries	...	.....	6	12	18	55	7	159	221	239	.....
Infantry	...	.....	69	211	280	840	174	2,863	3,877	4,157	.....
Signal corps	...	.....	.....	2	2	10	.....	29	39	41	.....
Hospital and ambulance corps	...	.....	.....	3	3	17	.....	34	51	54	.....
Total	2	20	84	237	343	983	190	3,261	4,434	4,777	406,835
Michigan:											
Generals and general staff.	4	15	.....	.....	19	.....	.....	.....	.....	19	.....
Infantry	...	.....	45	109	154	454	103	1,794	2,351	2,505	.....
Total	4	15	45	109	173	454	103	1,794	2,351	2,524	260,000

Abstract of the militia force of the United States, etc.—Continued.

States and Territories.	Organized strength.										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
STATES—continued.											
Minnesota:											
General and general staff..	1	7	.....	.....	8	.....	.....	.....	.....	8	.....
Light batteries.....	...	.....	3	6	9	18	4	97	119	128	.....
Infantry	...	.....	23	81	104	304	73	1,322	1,699	1,803	.....
Hospital and ambulance corps.....	...	.....	10	.....	10	3	.....	.....	3	13	.....
Total.....	1	7	36	87	131	325	77	1,419	1,821	1,952	160,000
Mississippi:											
Generals and general staff.	2	13	.....	.....	15	.....	.....	.....	.....	15	.....
Cavalry	...	.....	3	6	9	.....	.....	.....	71	80	.....
Artillery	...	.....	6	12	18	.....	.....	.....	222	240	.....
Infantry	...	.....	36	96	132	.....	.....	.....	1,228	1,360	.....
Total.....	2	13	45	114	174	.....	.....	1,521	1,521	1,695	233,480
Missouri:											
General and general staff..	1	8	.....	.....	9	5	.....	.....	5	14	.....
Light batteries.....	...	.....	.....	9	9	19	3	92	114	123	.....
Infantry	...	.....	39	95	134	367	150	1,523	2,040	2,174	.....
Total.....	1	8	39	104	152	391	153	1,615	2,159	2,311	400,000
Montana:											
General staff.....	...	13	.....	.....	13	.....	.....	.....	.....	13	.....
Light battery.....	...	.....	.....	1	1	.....	.....	.....	.....	1	.....
Infantry	...	.....	11	28	39	92	29	339	460	499	.....
Signal corps.....	...	.....	.....	.....	.....	2	.....	11	13	13	.....
Total.....	...	13	11	29	53	94	29	350	473	526	25,000
Nebraska:											
General and general staff..	1	6	.....	.....	7	.....	.....	.....	.....	7	.....
Cavalry	...	.....	.....	3	3	11	2	33	46	49	.....
Light batteries.....	...	.....	.....	3	3	11	2	46	59	62	.....
Infantry	...	.....	14	65	79	199	72	725	996	1,075	.....
Total.....	1	6	14	71	92	221	76	804	1,101	1,193	*177,578
Nevada:											
Light batteries.....	...	.....	.....	3	3	8	1	48	57	60	.....
Infantry	...	.....	8	21	29	63	.....	242	305	334	.....
Total.....	...	.....	8	24	32	71	1	290	362	394	6,000
New Hampshire:											
General and general staff..	1	9	.....	.....	10	5	.....	.....	5	15	.....
Cavalry	...	.....	.....	3	3	12	2	47	61	64	.....
Light batteries.....	...	.....	.....	4	4	15	2	59	76	80	.....
Infantry	...	.....	29	66	95	210	104	719	1,033	1,128	.....
Total.....	1	9	29	73	112	242	108	825	1,175	1,287	*53,713
New Jersey:											
Generals and general staff.	3	55	.....	.....	58	3	.....	.....	3	61	.....
Cavalry	...	.....	3	6	9	20	.....	88	108	117	.....
Infantry	...	.....	94	163	257	683	108	2,873	3,664	3,921	.....
Gatling guns.....	...	.....	.....	7	7	18	3	94	115	122	.....
Hospital and ambulance corps.....	...	.....	.....	.....	.....	8	.....	53	61	61	.....
Total.....	3	55	97	176	331	732	111	3,108	3,951	4,282	385,273
New York:											
Generals and general staff.	5	81	.....	.....	86	.....	.....	.....	.....	86	.....
Cavalry	...	.....	7	6	13	36	2	108	146	159	.....
Light batteries.....	...	.....	3	19	22	70	8	321	399	421	.....
Infantry	...	.....	214	432	646	2,032	291	9,389	11,712	12,358	.....
Signal corps.....	...	.....	.....	6	6	32	.....	100	132	138	.....
Total.....	5	81	224	463	773	2,170	301	9,918	12,389	13,162	*942,672

* Estimated.

Abstract of the militia force of the United States, etc.—Continued.

States and Territories.	Organized strength										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
STATES—continued.											
North Carolina:											
Generals and general staff.	2	26	.....	.....	28	2	.....	.....	2	30	.....
Infantry	---	-----	47	78	125	189	31	1,035	1,255	1,380	.....
Total.....	2	26	47	78	153	191	31	1,035	1,257	1,410	240,000
North Dakota:											
General staff	---	11	.....	.....	11	.....	.....	.....	.....	11	.....
Cavalry	---	-----	5	4	9	21	2	49	72	81	.....
Light battery	---	-----	.....	3	3	9	2	43	54	57	.....
Infantry	---	-----	9	22	31	78	33	250	361	392	.....
Total.....	---	11	14	29	54	108	37	342	487	541	20,000
Ohio:											
Generals and general staff.	4	12	.....	.....	16	.....	.....	.....	.....	16	.....
Cavalry	---	-----	.....	5	5	16	1	49	66	71	.....
Light batteries.....	---	-----	14	22	36	114	16	292	422	458	.....
Infantry	---	-----	136	271	407	1,085	436	3,886	5,407	5,814	.....
Hospital and ambulance corps.....	---	-----	.....	.....	.....	.....	.....	133	133	133	.....
Total.....	4	12	150	298	464	1,215	453	4,360	6,028	6,492	650,000
Oregon:											
General and general staff..	1	22	3	.....	26	.....	.....	.....	.....	26	.....
Cavalry	---	-----	.....	6	6	20	1	84	105	111	.....
Light battery.....	---	-----	.....	4	4	18	2	30	50	54	.....
Infantry	---	-----	34	73	107	257	57	949	1,263	1,370	.....
Engineers.....	---	-----	.....	4	4	7	.....	28	35	39	.....
Hospital corps.....	---	-----	.....	.....	.....	5	.....	49	54	54	.....
Signal corps.....	---	-----	.....	3	3	7	.....	30	37	40	.....
Total.....	1	22	37	90	150	314	60	1,170	1,544	1,694	57,188
Pennsylvania:											
Generals and general staff.	4	60	.....	.....	64	28	93	.....	121	185	.....
Cavalry	---	-----	7	9	16	41	6	125	172	188	.....
Light batteries.....	---	-----	6	12	18	48	7	171	226	244	.....
Infantry	---	-----	195	374	569	1,765	256	5,274	7,295	7,864	.....
Total.....	4	60	208	395	667	1,882	362	5,570	7,814	8,481	*812,315
Rhode Island:											
General and general staff..	1	27	.....	.....	28	.....	.....	.....	.....	28	.....
Cavalry	---	-----	7	6	13	25	2	68	95	108	.....
Artillery, heavy	---	-----	35	13	48	57	18	214	289	337	.....
Light batteries.....	---	-----	.....	4	4	14	2	33	49	53	.....
Infantry	---	-----	22	40	62	171	30	470	671	733	.....
Signal corps.....	---	-----	.....	.....	.....	1	.....	4	5	5	.....
Machine-gun battery.....	---	-----	.....	3	3	9	1	27	37	40	.....
Total.....	1	27	64	66	158	277	53	816	1,146	1,304	83,074
South Carolina:											
Generals and general staff.	5	49	.....	.....	54	.....	.....	.....	.....	54	.....
Cavalry	---	-----	27	120	147	270	.....	783	1,053	1,200	.....
Light batteries.....	---	-----	4	8	12	18	.....	50	68	80	.....
Infantry	---	-----	54	240	294	540	.....	1,556	2,096	2,390	.....
Total.....	5	49	85	368	507	828	.....	2,389	3,217	3,724	*177,704
South Dakota:											
Total all arms.....	4	20	26	48	98	128	16	568	712	810	30,000
Tennessee:											
General and general staff..	1	8	.....	.....	9	.....	.....	.....	.....	9	.....
Cavalry	---	-----	.....	3	3	9	2	47	58	61	.....
Light batteries.....	---	-----	.....	6	6	18	4	66	88	94	.....
Infantry	---	-----	30	75	105	221	50	1,092	1,363	1,468	.....
Signal corps.....	---	-----	.....	1	1	2	.....	8	10	11	.....
Total.....	1	8	30	85	124	250	56	1,213	1,519	1,643	160,000

* Estimated.

Abstract of the militia force of the United States, etc.—Continued.

States and Territories.	Organized strength.										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
STATES—continued.											
Texas:											
Generals and general staff.	3	48	.....	.....	51	6	.....	.....	6	57	.....
Cavalry	...	.....	11	22	33	64	20	228	312	345	.....
Light batteries	...	.....	4	9	13	30	1	107	138	151	.....
Infantry	...	.....	58	145	203	471	112	1,608	2,191	2,394	.....
Total	3	48	73	176	300	571	133	1,943	2,647	2,947	300,000
Utah:											
Generals and general staff.	2	14	.....	.....	16	.....	.....	.....	.....	16	.....
Cavalry	...	.....	1	9	10	27	5	97	129	139	.....
Light batteries	...	.....	.....	8	8	32	4	74	110	118	.....
Infantry	...	.....	8	48	56	136	23	510	669	725	.....
Hospital and ambulance corps	...	.....	.....	3	3	16	1	.....	17	20	.....
Total	2	14	9	68	93	211	33	681	925	1,018	62,000
Vermont:											
General and general staff.	1	24	.....	.....	25	2	.....	.....	2	27	.....
Light batteries	...	.....	3	5	8	13	2	57	72	80	.....
Infantry	...	.....	11	36	47	104	25	456	585	632	.....
Total	1	24	14	41	80	119	27	513	659	739	44,164
Virginia:											
General and general staff.	1	9	.....	.....	10	.....	.....	.....	.....	10	.....
Cavalry	...	.....	13	15	28	44	4	140	188	216	.....
Light batteries	...	.....	9	12	21	40	2	148	190	211	.....
Infantry	...	.....	59	133	192	398	59	2,001	2,458	2,650	.....
Total	1	9	81	160	251	482	65	2,289	2,836	3,087	*246,115
Washington:											
Generals and general staff.	2	26	.....	.....	28	.....	.....	.....	.....	28	.....
Cavalry	...	.....	5	6	11	27	2	69	98	109	.....
Light batteries	...	.....	.....	4	4	10	1	39	50	54	.....
Infantry	...	.....	13	42	55	150	32	626	808	863	.....
Total	2	26	18	52	98	187	35	734	956	1,054	60,532
West Virginia:											
General and general staff.	1	10	.....	.....	11	.....	.....	.....	.....	11	.....
Infantry	...	.....	18	51	69	164	51	576	791	860	.....
Total	1	10	18	51	80	164	51	576	791	871	*121,604
Wisconsin:											
Generals and general staff.	3	31	.....	.....	34	.....	.....	.....	.....	34	.....
Cavalry	...	.....	1	3	4	10	2	21	33	37	.....
Light batteries	...	.....	1	4	5	10	2	41	53	58	.....
Infantry	...	.....	58	120	178	419	176	1,759	2,354	2,532	.....
Total	3	31	60	127	221	439	180	1,821	2,440	2,661	372,125
Wyoming:											
General staff	...	10	.....	.....	10	.....	.....	.....	.....	10	.....
Infantry	...	.....	10	27	37	55	35	204	294	331	.....
Total	...	10	10	27	47	55	35	204	294	341	8,000
Aggregate State militia.	81	1,052	2,264	5,561	8,958	19,528	4,178	77,567	101,273	110,231	10,028,324
TERRITORIES.											
Alaska†	...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arizona:											
General and general staff.	1	6	.....	.....	7	.....	.....	.....	.....	7	.....
Infantry	...	.....	12	28	40	88	13	292	393	433	.....
Total	1	6	12	28	47	88	13	292	393	440	*9,274

* Estimated.

† No organized militia.

Abstract of the militia force of the United States, etc.—Continued.

States and Territories.	Organized strength.										Number of men available for military duty (unorganized).
	Commissioned officers.					Enlisted men.				Aggregate.	
	Generals.	General staff.	Regimental, field, and staff.	Company.	Total.	Noncommissioned officers.	Musicians.	Privates.	Total.		
TERRITORIES—continued.											
New Mexico:											
General staff	...	28	.....	.....	28	.....	.....	.....	.....	28	.....
Cavalry	...	.....	.....	12	12	37	.....	143	180	192	.....
Infantry	...	.....	.....	15	15	43	19	141	203	218	.....
Total	...	28	.....	27	55	80	19	284	383	438	25,000
Oklahoma:											
General and general staff	1	8	.....	.....	9	.....	.....	.....	.....	9	.....
Infantry	...	.....	9	24	33	80	20	296	396	429	.....
Total	1	8	9	24	42	80	20	296	396	438	45,000
Aggregate, Territories	2	42	21	79	144	248	52	872	1,172	1,316	79,274
District of Columbia:											
General and general staff	1	12	.....	.....	13	12	24	.....	36	49	.....
Engineers	...	.....	.....	1	1	19	.....	65	84	85	.....
Cavalry	...	.....	.....	3	3	9	2	54	65	68	.....
Light batteries	...	.....	.....	3	3	10	1	27	38	41	.....
Infantry	...	.....	45	57	102	185	.....	747	932	1,034	.....
Infantry, mounted (cycle)	...	.....	.....	2	2	7	.....	27	34	36	.....
Hospital and ambulance corps	...	.....	.....	1	1	3	.....	15	18	19	.....
Total	1	12	45	67	125	245	27	935	1,207	1,332	42,000
Grand aggregate	84	1,106	2,330	5,707	9,227	20,021	4,257	79,374	103,652	112,879	10,149,598

GEO. D. RUGGLES,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., February 1, 1896.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 197.

LEASE OF ALASKA SEAL ISLANDS, ETC.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REPLYING

To the House resolution of the 7th ultimo in regard to the lease of the seal islands and the policing of Bering Sea.

FEBRUARY 4, 1896.—Referred to the Committee on Ways and Means and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 1, 1896.

SIR: I have the honor to acknowledge the receipt of copy of House resolution dated the 7th ultimo, the text of which is as follows:

Resolved, That the Secretary of the Treasury be requested to inform the House:

First. What amount the Treasury has received from the lessees of the Alaska seal islands for rental and tax each year since the new lease of these islands from May 1, 1890, to date; together with the number of skins annually taken under the provisions of said lease, and also the amount received from the lessees and the number of skins taken each year from 1868 to 1890.

Second. What has been the cost of policing Bering Sea and the North Pacific each year since 1890; and also the amount expended for the support of the natives of the seal islands by the Treasury Department each year since 1890.

In reply thereto I have to inform you that the number of seals taken by the lessees of said islands since 1890, the amounts received by the Government from the said lessees in return for the privilege of taking seals on the islands, and the amounts which remain due to the Government and unpaid by the lessees on account of this privilege during the same years, are as follows:

Year.	Seals taken.	Amounts paid.	Amounts due and unpaid.
1890	20,995	$269,673.88	$47,403.00
1891	13,482	46,749.23	133,628.64
1892	7,549	23,972.60	108,686.52
1893	7,500	.....	132,187.50
1894	16,031	.....	214,298.37
1895	15,000	.....	*204,375.00

*Due on or before April 1, 1896.

In explanation of the above statement of "Amounts due and unpaid," I have to inform you that reductions having been made by my predecessors in the amounts which, under their lease, the present lessees of the islands were required to pay as annual rental and tax since 1890, I entertained the belief, supported by an opinion of the honorable the Attorney-General, that these reductions had been made without warrant of law. This question having arisen in determining the amount of rent due for the years 1893 and 1894, I refused to be bound by the settlements made by my predecessor in office, and made demands upon said lessees for the amounts of $132,187.50 and $214,298.37, due, respectively, for those years. Payment of these amounts having been refused, suits were instituted in the circuit court for the southern district of New York to recover the whole amount claimed to be due for the years 1893 and 1894. These suits are still pending.

As requested, I append a statement of the number of seals taken for all purposes on the seal islands during the years 1870 to 1889, both inclusive, together with the respective amounts paid by the lessees each year as rental and tax for the privilege:

Year.	Seals taken.	Rental and tax.	Year.	Seals taken.	Rental and Tax.
1870	23,773	$101,080.00	1880	105,718	$317,594.50
1871	102,960	322,863.38	1881	105,063	316,885.75
1872	108,819	307,181.12	1882	99,812	317,295.25
1873	109,177	327,081.25	1883	79,509	251,875.00
1874	110,585	317,494.75	1884	105,434	317,400.25
1875	106,460	317,584.00	1885	105,024	317,489.50
1876	94,657	291,155.50	1886	104,521	317,452.75
1877	84,310	253,255.75	1887	105,760	317,500.00
1878	109,323	317,447.50	1888	103,304	317,500.00
1879	110,511	317,400.25	1889	102,617	317,500.00

In addition to the above there was covered into the Treasury in the year 1873, the amount of $29,529.17, realized from the sale of seal skins by Government agents; and in 1885, $1,000 as a forfeiture for taking seals unlawfully.

As to the cost of policing Bering Sea and the North Pacific each year since 1890, I have to state that the honorable the Secretary of the Navy, upon request, has informed this Department that the cost of maintaining vessels of the United States Navy in these waters since 1890, including pay and rations of officers and crews and repairs to the vessels during and immediately following the performance of said patrol duty, was as follows:

1890	No patrol by Navy.	1893	$183,067.74
1891	$133,281.64	1894	452,768.18
1892	233,931.31	1895	No patrol by Navy.

The expenses incurred by revenue cutters in patrolling Bering Sea from 1890 to 1895, inclusive, including pay and rations of officers and men, are as follows:

1890	$36,846.66	1893	$47,385.79
1891	51,650.70	1894	56,439.63
1892	66,672.57	1895	148,677.74

From these figures it would seem that the total cost of policing these waters during the period in question is $1,410,721.96.

The amounts which have been expended by the Government for the support of the native inhabitants of the seal islands of Alaska follow:

1893	$11,337.32
1894	18,319.44
1895	25,563.21

While not requested by the resolution, I append a statement of the amounts expended for salaries and traveling expenses of agents to the seal fisheries of Alaska each year since the date of the first appropriation for that purpose:

1876	$2,752.68	1886	$7,937.49
1877	8,080.49	1887	16,174.13
1878	10,892.50	1888	10,184.52
1879	16,381.78	1889	13,027.10
1880	9,571.02	1890	10,747.71
1881	4,248.09	1891	15,396.83
1882	15,263.06	1892	16,071.33
1883	11,090.32	1893	11,168.27
1884	13,811.64	1894	10,953.09
1885	13,102.61	1895	10,308.38

While these islands were ceded to the United States in 1867, no appropriation for salaries and expenses of Government agents thereon appears to have been made prior to 1876.

The following is a summary of the amounts already set forth:

Seals taken under lease:	
1870	1,977,337
1890	80,557
Total	2,057,894
Amounts received:	
Under lease of 1870	$5,981,036.50
Under lease of 1890	340,395.71
Miscellaneous	30,529.17
Total	6,351,961.38
Amount due and unpaid, awaiting outcome of pending litigation	840,579.03
Amounts expended:	
Policing waters	1,410,721.96
Support of natives	55,219.97
Salaries and expenses of agents	227,163.04
Total	1,693,104.97

Respectfully, yours,

J. G. CARLISLE,
Secretary.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 198.

PUBLIC BUILDING AT SAN FRANCISCO, CAL.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REPLYING

To the House resolution of the 21st instant, relative to the erection of a public building at San Francisco, Cal.

FEBRUARY 4, 1896.—Referred to the Committee on Public Buildings and Grounds and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., January 31, 1896.

SIR: In response to the resolution passed by the House of Representatives on the 21st instant, requesting the Secretary of the Treasury to inform the House "what progress has been made under the act approved March 3, 1893, in the erection of a building at San Francisco, Cal., for the use and accommodation of the United States post-office, and the reason for the delay in the prosecution and completion of said building," I have the honor to state as follows:

Upon the passage of said act of March 3, 1893, fixing the limit of cost for the new post-office, court-house, etc., building, to be erected at San Francisco, the plans and estimates for said work were taken under consideration by the Supervising Architect of this Department.

On June 12, 1893, however, the Department received a communication from the chairman of the Committee on Public Buildings and Grounds of the House of Representatives, dated June 10, requesting that no action be taken in regard to the erection of said building on the site which had been selected until the House of Representatives should have an opportunity to enter into an investigation in regard to the matter. In deference to said request the Department, on June 23, 1893, directed that action relative to the preparation of plans and estimates for said building be suspended until further orders.

No further steps were taken until October 5, 1893, when, in response to a resolution, the Secretary of the Treasury transmitted to the House of Representatives all the papers relating to the selection and purchase of the site. These papers were retained by the House of Representatives until June 9, 1894, when they were returned to the Department.

Early in the spring of 1894 work on the plans for said building was renewed, sketch plans and estimates were made and approved by the

Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, as required by the act of Congress approved March 3, 1875, and the preparation of the working drawings entered upon, which drawings were sufficiently under way to admit of the invitation of proposals for the work of excavating for foundations, when Congress, by act approved March 2, 1895, directed—

> That before any work is done upon this building, or contract let therefor, the Secretary of the Treasury shall cause to be carefully examined the nature of the subsoil and bed of foundation of the site that has been purchased for such building at San Francisco, and whether the character of the same is proper for said building, before the first day of July, eighteen hundred and ninety-five, and what will be the cost of making a foundation for said building, and whether the construction of said building should be proceeded with on said site; and the Secretary of War, upon the request of the Secretary of the Treasury, shall detail two or more engineer officers of the Army to make such examination.

In pursuance of the requirements of said act, on March 9, 1895, the Department addressed a communication to the Secretary of War, inviting attention to the provisions of said act and requesting a detail of two engineer officers of the Army to prosecute the desired examination.

Under date of April 18, 1895, the Secretary of War advised the Department that Col. George H. Mendell and Lieut. Col. W. H. H. Benyuard, of the Corps of Engineers, had been detailed to make the examination referred to, and under date of April 25 both of said officers reported to this Department for instructions, with the request from Colonel Mendell that the funds to be expended in making said examination be remitted to Lieutenant-Colonel Benyuard, together with instructions to govern the disbursements in making contracts for boring, etc. In reply to his request Colonel Mendell was advised that the Department was without authority to comply with his request, unless one of said officers would furnish a formal bond as disbursing officer. This matter, however, was settled by the Department authorizing said officers to incur such expenditures as were required by the exigencies of the case and submit properly receipted vouchers therefor, which was done.

Under date of July 8, 1895, said officers submitted a report on the examination made by them, setting forth the result of the borings, etc., made on said site, furnishing drawings to show the location, etc., of said test pits, and concluding with the opinion that the foundations should be of concrete, and that the proposed building can be safely constructed upon the site selected; and further, that no reason is apparent, from an engineering point of view, why the erection of said building should not be proceeded with. The officers named estimate the total cost of such a foundation as they recommend to be $39,549.

The prosecution of this work, thus interfered with in its regular course, has proceeded as rapidly as the pressure of current matters would allow.

Work on the preparation of the drawings has now been resumed and they will be completed and the contracts made as soon as possible.

Respectfully, yours,

J. G. CARLISLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 199.

SURVEY OF MOBILE HARBOR, ALABAMA.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

With a letter from the Chief of Engineers report of survey of Mobile Harbor, Alabama.

FEBRUARY 4, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 1, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers dated January 30, 1896, together with a copy of a report from Capt. William T. Rossell, Corps of Engineers, dated January 16, 1896, of a survey made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Mobile Harbor, Alabama.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 30, 1896.

SIR: The river and harbor act of August 17, 1894, provides that the Secretary of War shall cause a survey to be made to ascertain the cost of widening the channel of Mobile Harbor, Alabama, now in course of improvement, to obtain a width of 100 feet at the bottom, with a proper slope for the sides of such a channel, and I have now the honor to submit the accompanying copy of a report, dated the 16th instant, by Capt. Wm. T. Rossell, Corps of Engineers, upon the subject.

The existing project for the improvement of Mobile Harbor was adopted by Congress in 1888, the object being to provide a channel from the Gulf of Mexico to the city of Mobile 280 feet wide at top of cut with

a central depth of 23 feet. The work was subsequently extended by Congress up Mobile River to the mouth of Chickasabogue Creek. The estimated cost of this work was $2,043,800, with a further expenditure of $60,000 for maintenance after June 30, 1891.

There has been appropriated for work under the existing project $1,993,800, and the law provided that the channel as projected should be completed for this sum. In October last the appropriation was exhausted and the projected channel virtually completed, as evidenced by the passage through it of vessels drawing 23 feet. Meantime there was no appropriation for maintenance, though much work of that kind has been done.

The channel thus constructed is for its entire length of nearly 33 miles through material much of which is liable to be easily moved about and brought into the cut by the winds and waves; and such channel, as was contemplated by the project, can be maintained only by constant dredging.

It was thought the channel, with surface width of 280 feet and central depth of 23 feet, if properly maintained would be of sufficient capacity for commerce and navigation; but, now that the passage of the deeper draft vessels has been made possible, experience indicates that a wider channel is desirable, and is now demanded by the interests involved.

Captain Rossell estimates that the cost of widening and deepening the cut to give a bottom width of 100 feet and proper side slopes (which should be quite flat in order to greater stability) will cost $1,640,000, and to maintain such channel will cost approximately $60,000 per year. His estimate is based on the actual amount of material to be removed as indicated by the latest maps showing the condition of the channel. The work proposed is the dredging of additional cuts nearly 33 miles long through the mud bottom of Mobile Bay, and the depths and widths to which dredging must be carried to guarantee a depth of 23 feet and a bottom width of 100 feet, as well as the cost of the work, can only be approximated. Some of the material is so soft that to obtain a depth of 23 feet requires dredging several feet deeper. The estimate for annual maintenance must also be considered as approximate, it being impracticable to determine, with present limited experience after the completion of the channel, how much dredging will be required for removing material brought into the cut and for preserving the dimensions of the proposed channel when once completed.

The improvement of the harbor of Mobile has been progressive. First, 9 feet was secured; this depth was then increased to 13 feet, then to 17 feet, and finally, in 1888, Congress determined that a depth of 23 feet should be given. This method has greatly increased the ultimate cost of what has been finally accomplished.

Though the question of maintaining an open cut through Mobile Bay and the use of auxiliary works or alternative plans have been under consideration since the inauguration of the work, the matter did not assume grave importance until the extreme depths of channel were adopted. With moderate depths the amount of filling in the cut was not of such extent as to make the work of its removal a serious item, but the rate of filling has increased more rapidly in proportion than the increase of depth of channel, and it now appears desirable to give full consideration to the question of probable cost of maintenance before expending additional large sums of money for increasing the capacity of the existing channel.

Plans of improvement which will obviate the necessity for such large

outlays for maintenance may be of much greater first cost, but it is to be considered whether they are not the more economical in the end.

While it is necessary in the interest of commerce and navigation that the present channel should be maintained in a state of efficiency by an annual expenditure for maintenance until such time as the construction of auxiliary works or adoption of other plans may render such large expenditure for maintenance unnecessary, it appears that before any large sum is expended for widening the existing channel by dredging the whole subject should be referred to a Board of Engineer Officers for full consideration and report.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF MOBILE HARBOR, ALABAMA.

UNITED STATES ENGINEER OFFICE,
Mobile, Ala., January 16, 1896.

GENERAL: In the river and harbor act of August 17, 1894, it is provided that—

Harbor at Mobile, Alabama: The Secretary of War shall cause a survey to be made to ascertain the cost of widening the channel of said harbor, now in course of improvement, to obtain a width of one hundred feet at bottom, with a proper slope therefor * * * and the expenses * * * shall be paid out of any appropriations made for the improvement of the channel of Mobile Harbor.

The duty of making the survey thus provided for was assigned to Lieut. Col. A. N. Damrell, Corps of Engineers, by Department letter of August 20, 1894.

It was thought better to wait until all other work under the last project was finished before making this report, so that all data as to slope might be available. The project has now been finished, and I have the honor to submit the following report:

The project completed in October, 1895, was that adopted in August, 1888, modified as required by the river and harbor act of September 19, 1890. The object was to afford a channel from the city of Mobile, Ala., to the Gulf of Mexico of 280 feet width on top of cut with a central depth of 23 feet at mean low water, and the channel was afterwards extended up the Mobile River to the mouth of Chickasabogue Creek.

Since the completion of this work vessels drawing more than 23 feet have come to the wharves of Mobile loaded to their full capacity and gone to sea.

The nature of the bottom encountered during dredging operations has varied greatly in different parts of the channel, being at different points sand, soft and hard clay, silt, and shell reefs. At many places has been found a soft ooze lying over the bottom of the bay in depths of from 1 to 5 feet. This material is moved about under the action of the winds and causes fills in the dredged channel. It is, however, so soft that vessels can go through considerable depths of it without difficulty. These different materials took up under the conditions of the channel different slopes, which vary, as shown by the last surveys, from one on three to one on twenty.

Another fact that was ascertained during the work was that in order to gain a channel depth of 23 feet it was necessary to excavate about 5 feet below this point in many places. The payments made for dredging were by the yard, measured in the scows. Careful measurements of the yardage measured in situ and compared with it, scow measurement, show an increase in scow measurements over measurements in situ varying from 20 per cent in some places to 50 per cent in others.

Allowing for all the above, the following estimate is submitted:

550,000 cubic yards of material, chiefly sand, from Mobile River channel, at 17 cents	$93,500
17,250,000 cubic yards of material, chiefly soft blue mud, little sand and shell, from Mobile Bay channel, at 8 cents	1,380,000
Removal of 290 linear feet of the west upper obstructions at head of Mobile Bay, at $20	5,800
Removal of logs and other sunken obstructions from the channel of Mobile River and Bay	10,000
Engineering, superintendence, and contingencies	150,700
Total	1,640,000

The prices submitted, viz, 17 cents per yard in Mobile River and 8 cents per yard in the bay, seem to me small; but the prices paid under the last contract for this work were, river 16.5 cents and bay 7.7 cents. Whether such advantageous bids can be secured again is unknown.

In conclusion, I desire to call attention to the fact that this long dredged channel, nearly 33 miles continuous cut, must be maintained by annual work. My predecessor, Lieutenant-Colonel Damrell, estimated the cost of this at $60,000 a year. During freshets snags and logs are brought down the river, many of which find their way into the channel. There is on hand now a small steamer, the *Maggie*, which can be used for removing these, and I would recommend that authority be given by law to purchase a dredging plant to be kept for use in maintaining the channel. The cost of this plant will be $125,000.

For the employment of this plant I would recommend that authority be given to draw the necessary money under the provisions of section 4 of the act of July 5, 1884.

I inclose herewith the report of Asst. Engineer P. C. Boudousquie.

Very respectfully, your obedient servant,

WM. T. ROSSELL, *Captain, Engineers.*

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

REPORT OF MR. P. C. BOUDOUSQUIE, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Mobile, Ala., November 20, 1895.

SIR: The act of Congress dated August 17, 1894, made provision for ascertaining the cost of widening the channel of the harbor at Mobile, Ala., to obtain a width of 100 feet at the bottom, with a proper slope therefor.

Dredging operations at that time had not sufficiently progressed to warrant an estimate, it being deemed more reliable to depend rather on the more practical results of actual dredging, and to await the completion of the first project. Since the completion of that project of "a channel of 280 feet top width, with a central navigable depth of 23 feet at mean low water, from the mouth of Chickasabogue Creek to the Gulf of Mexico," on October 3, 1895, which has allowed more than 74 vessels of a draft of from 22 feet to 23.9 feet to proceed to sea without detention from the port of Mobile, it is believed that an enlargement of the channel as above contemplated is practicable by redredging and widening the central cuts, and also

by providing a proper western slope therefor, the eastern slope having been already secured by the work of preceding years.

The pressing requirements of an increasing commerce render it imperative to widen the channel of Mobile River, thus affording greater facilities to shipping interests.

The lines defining the navigable channel of Mobile Bay, and recommended to your consideration, are so prepared as to eliminate as much as permissible short turns or angles offered by the intersection of the various courses.

The chief difficulty experienced during the prosecution of this work of improvement is to maintain, through a very soft blue clay bottom, a channel of a specified width, and it will be therefore necessary to provide for the maintenance of said channel for a few years following its completion an annual allotment of $60,000.

The lumber and timber commerce of Mobile within recent years has assumed large proportions, necessitating the location of extensive booms on the smaller streams tributary to Mobile River, and also the towing from more distant points of rafts of hewn and rough logs. A number of these logs insufficiently secured while in transit escaped and eventually lodged in the main channel, thereby rendering its navigation quite dangerous. Daily complaints are made of the presence of these sunken obstructions, alarming owners of vessels seeking this port.

From time to time the existing gaps between the obstructions erected during the civil war were widened. As it is proposed to enlarge the channel and rectify the entrance to Mobile River, 290 linear feet of the west upper obstructions, located at the head of Mobile Bay, will have to be removed.

The great length of the dredged channel (33.08 miles) necessitates the erection of aids to dredging operations, consisting of yellow pine piles with the bark on, bolted and chained, to which tide gauges are secured. The ravages of the *Teredo navalis* are considerable, especially in lower Mobile Bay, compelling the renewal of these clusters, corresponding to fixed points, on the eastern bank of the dredged channel.

The outlet to the Gulf of Mexico through the main ship channel of Mobile Bay still deepens by natural process, as evidenced by the passage of the steamship *Mendota* across the outer bar on August 8, 1895, drawing 24.83 feet at mean low water.

Material to be excavated from the channel of Mobile River to secure a depth of 23 feet and a bottom width of 100 feet, with a proper slope therefor.

Location.	Linear feet.	East slope, cubic yards.	Re-dredging central cuts, cubic yards.	Enlarging central cuts, cubic yards.	West slope, cubic yards.	Total, cubic yards.	Character of material.
From Station O, R. A. with center of draw pier. mouth of Chickasabogue to 2,060 feet south.	2,060	7,086	.....	39,368	10,234	56,688	Sand and silt.
From 1,960 feet south of Station 1 to 20 feet south of Station 2.	700	.....	.....	13,101	.....	13,101	Do.
From 40 feet south of Station 3 to Station A.	2,600	8,412	.....	60,088	8,412	76,912	Sand and black mud.
From Station A to 840 feet south of Station 6.	5,920	.....	.....	129,468	9,579	139,047	Compact sand, little yellowish clay.
From 840 feet south of Station 6 to Station B.	2,040	.....	.....	43,626	12,180	55,806	Sand, with yellowish clay.
From Station B to Station C..	3,610	.....	50,777	79,333	3,172	133,282	Sandlittle bogue ore, "ferrous oxide."
Triangular cut, Station C....	1,000	.....	.....	14,932	.....	14,932	Sand.
From Station C to deep-water basin, mouth of Mobile River.	2,085	.....	.....	60,232	.....	60,232	Sand, little mud.
Total.....	.....	15,498	50,777	440,148	43,577	550,000	

Material to be excavated from the channel of Mobile Bay to secure a depth of 23 feet and a bottom width of 100 feet, with a proper slope therefor.

Location.	Linear feet.	Redredging central cuts, cubic yards.	Enlarging central cuts, cubic yards.	West slope, cubic yards.	Total, cubic yards.	Character of material.
From I. P. mouth of Mobile River to 552 feet south of Station F, rectifying east and west lines of channel.	6,065	.....	342,370	.....	342,370	Sand, little clay, and blue mud.
From 552 feet south of Station F to Station G.	3,889	.....	.....	111,024	111,024	Sand, little mud.
From Station G to Station H...	8,930	238,132	.....	223,249	461,381	Stiff mud.
From Station H to Station I ..	2,228	.....	184,347	.....	184,347	Soft blue clay.
From Station I to Station 21...	10,568	254,413	386,709	515,190	1,156,312	Do.
From Station 21 to Station 24 ..	7,920	137,280	259,294	429,000	825,574	Sand, little mud.
From Station 24 to Station 37 ..	34,320	889,777	1,144,000	1,430,000	3,463,777	Deadened shell reefs.
From Station 37 to Station J...	10,391	344,827	387,935	539,960	1,272,722	Soft blue mud, little shell.
From Station J to Station L ...	1,758	117,199	70,320	99,033	286,552	Soft blue clay and ooze.
From Station L to Station 49...	19,531	1,302,066	781,239	1,328,107	3,411,412	Very soft blue clay and ooze.
From Station 49 to Station 51 ..	5,280	351,999	193,599	323,400	868,998	Ooze overlying stiff clay.
From Station 51 to Station M..	28,059	1,870,599	904,122	1,332,802	4,107,523	Soft and stiff clay, little ooze.
From Station M to Station 64 ..	6,264	324,643	146,738	91,191	562,572	Soft blue clay, little ooze.
From Station 64 to Station N ..	5,739	195,436	.....	.....	195,436	Mud and sand.
Total	.....	6,026,371	4,800,673	6,422,956	17,250,000	

* * * * * *

Very respectfully, your obedient servant,

P. C. BOUDOUSQUIE,
Assistant Engineer.

Capt. WM. T. ROSSELL,
Corps of Engineers.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 200.

SURVEY OF WAREHAM HARBOR, MASSACHUSETTS.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of survey of Wareham Harbor, Massachusetts.

FEBRUARY 4, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 3, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers, dated December 19, 1895, together with a copy of a report from Maj. D. W. Lockwood, Corps of Engineers, dated December 11, 1895, of a survey made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Wareham Harbor, Massachusetts.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., December 19, 1895.

SIR: By the river and harbor act of August 17, 1894, in the item for improving harbor at Wareham, Mass., "the Secretary of War is directed, out of the appropriation on hand, to make a resurvey of said harbor, with a view to its further needed improvement," and I have now the honor to submit the accompanying copy of report, dated December 11, 1895, by Maj. D. W. Lockwood, Corps of Engineers, upon the results of the survey called for.

The project under which work is now being carried on provides for a channel 250 feet wide, 9 feet deep, from the entrance up to Barneys Point; thence the width is increased to 350 feet, with same depth, up

to the lower wharves of the town, while along the town front the channel is to be from 200 to 100 feet wide, with a depth of 9 feet. This project is only partly completed, and Major Lockwood presents an estimate amounting to $36,749.08 for completing the dredging to carry out the present project, repairing sand fences at Long Beach, planting grass, etc., including engineering and contingencies.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF HARBOR AT WAREHAM, MASSACHUSETTS.

UNITED STATES ENGINEER OFFICE,
Newport, R. I., December 11, 1895.

GENERAL: The river and harbor act of August 17, 1894, contained the following: "Improving harbor at Wareham, Massachusetts: The Secretary of War is directed, out of the appropriation on hand, to make a resurvey of said harbor, with a view to its further needed improvement." This work was assigned to this office by Department letter dated August 20, 1894.

The field notes having been plotted, the map of same is respectfully forwarded, together with the following report and estimate.

The improvement of the harbor of Wareham, Mass., originated in a survey made under the direction of Lieut. Col. George Thom, Corps of Engineers, in 1871, in compliance with a resolution of the House of Representatives, "with a view to dredging the same and fitting it for a harbor of refuge."

Colonel Thom made the following recommendations:

First. That a channel be excavated for a distance of 1,300 feet across Quahaug Bar to a width of 250 feet and to a depth of 9 feet at mean low water, giving thereby 13.2 feet at ordinary high water.

Second. That the present channel immediately below the Franconia Iron Works be widened as indicated on Plan 1, and also deepened to a depth of 9 feet at mean low water, by which improvement vessels could with ease and safety ascend to the wharves at Wareham with that depth.

Third. The removal of a sunken ledge and bowlder from the channel of Weweantic River, which, uniting with Wareham River, forms an extension of the harbor of Wareham.

The cost of the entire work was estimated at $45,000.

This project is reported as having been completed in 1876 with the addition of certain works of protection to Long Beach, constructed of brush and stone, at a total cost of $40,000. After the appropriation of 1875 no further appropriation was made until 1882.

By the river and harbor act of June 14, 1880, a survey of this locality was ordered, which was made under the direction of Lieut. Col. G. K. Warren, Corps of Engineers, and a report thereof, together with plan of improvement and cost of same, submitted under date of December 13, 1880. The cost of the improvement was estimated at $44,050, of which $15,000 was for protecting Long Beach, and the balance for deepening and widening, by dredging, the channel from Buzzards Bay

up to the wharves of Wareham. In 1887 this estimate was increased by $12,186 in the item of dredging, making the estimated cost of the project of 1880 $56,236.

As stated in the report of the Chief of Engineers the present project, to wit, that of 1880, as modified in 1887, provides for a channel of 250 feet width and 9 feet depth from the entrance up to Barneys Point. From this point the width of channel is increased to 350 feet, the depth remaining the same, up to the lower wharves of the town, while along the town front the channel is to be from 200 to 100 feet wide with a depth of 9 feet. To insure a final depth of 9 feet, the estimate for dredging provides for 1 foot over depth. The report above cited states also that the condition of the work at the close of the fiscal year ending June 30, 1895, was as follows:

> The channel had been deepened to over three-quarters width and full depth of 9 feet in its upper portion and to over half width in its lower portions, and the sand spit had been partly protected by catch-sand fences and brush and stone work.

As already stated, this harbor at first was intended as one of refuge; this was plainly indicated in the resolution of the House of Representatives calling for the original survey made in 1871. No mention of this object appears in the subsequent history of the improvement, which is manifestly to afford ingress and egress to vessels engaged in carrying on the commerce of Wareham and surrounding country. To obtain the requisite depth—i. e., 9 feet at mean low water—it has been necessary to extend the dredging over a long line, while the expense has been still further increased by the requirement that the channel should be sufficiently wide to enable vessels to beat in and out. If vessels could be towed in and out of port by tugs, the width of channel could be readily reduced to 200 feet, which would decrease the cost materially. The estimate of cost of completing the dredging to carry out present project is as follows:

125,633 cubic yards dredging, at 25 cents	$31,408.25
Repairing sand fences at Long Beach, planting grass, etc	2,000.00
	33,408.25
Engineering and contingencies, 10 per cent	3,340.83
Total	36,749.08

The commercial statistics for calendar year ending December 31, 1894, give the combined value of exports and imports as $1,823,000; the tonnage was 89,780, a decrease of about 28,000 tons from that reported in 1893. The following table, taken from the Annual Report of the Chief of Engineers for 1895, gives the number and character of vessels entering and leaving port for same time:

The vessels entering and leaving this waterway are as follows (each entrance and departure together being counted as one):

Character or class of service.	Number.	Average draft.	Average tonnage.
Steam:		*Feet.*	*Tons.*
Passenger, mainly	30	8	300
Tugs	40	10	50
Sail:			
Freight	92	11	250
Pleasure boats	300	.....	.....
Barges	14	10	500

Wareham is in the New Bedford collection district. New Bedford is the nearest port of entry. The amount of revenue collected at New Bedford in the last calendar year was $49,333.56. The nearest lighthouses are Bird Island and Wing Neck lights. The nearest fortification is the fort at Clarks Point, New Bedford, Mass.

Very respectfully, your obedient servant,

D. W. LOCKWOOD,
Major, Corps of Engineers.

BRIG. GEN. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

(Through Col. John M. Wilson, Division Engineer, Northeast Division.)

[First indorsement.]

NORTHEAST DIVISION, ENGINEER OFFICE,
Washington, D. C., December 16, 1895.

Respectfully submitted to the Chief of Engineers, concurring in the views of the local engineer.

JOHN M. WILSON,
Colonel, Corps of Engineers,
Division Engineer, Northeast Division.

O

WAREHAM HARBOR, MASS.

Scale

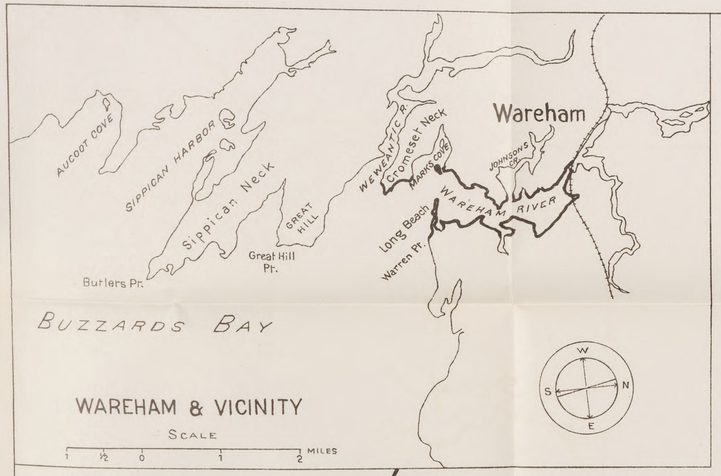
100 0 1000 2000 3000 FT.

Based on surveys made 1884 & 1893 under direction of the U.S. Engineer Office at Newport, R.I.

To accompany report of December 11, 1895.

D W Lockwood
Major, Corps of Engineers, U.S. Army.

SHORE LINE AT MEAN LOW WATER
9 CONTOURS AND DEPTHS (FEET) AT M.L.W.
o BM. BENCH MARK, 6.026 FT. ABOVE M.L.W.
CHANNEL LINES
MEAN RISE AND FALL OF TIDE IS ABOUT 4 FT.
SAND-FENCES
DREDGING (PROPOSED) TO 10 FT. DEPTH AT M.L.W.



Wareham

Cromeset Neck

Swifts Neck

Johnsons Cr. or Broad Marsh River

Quahaug Bar

Quasuet Pt.

Long Beach

Black Bank Pt.

Covells Bluff

o BM.

Crooked River

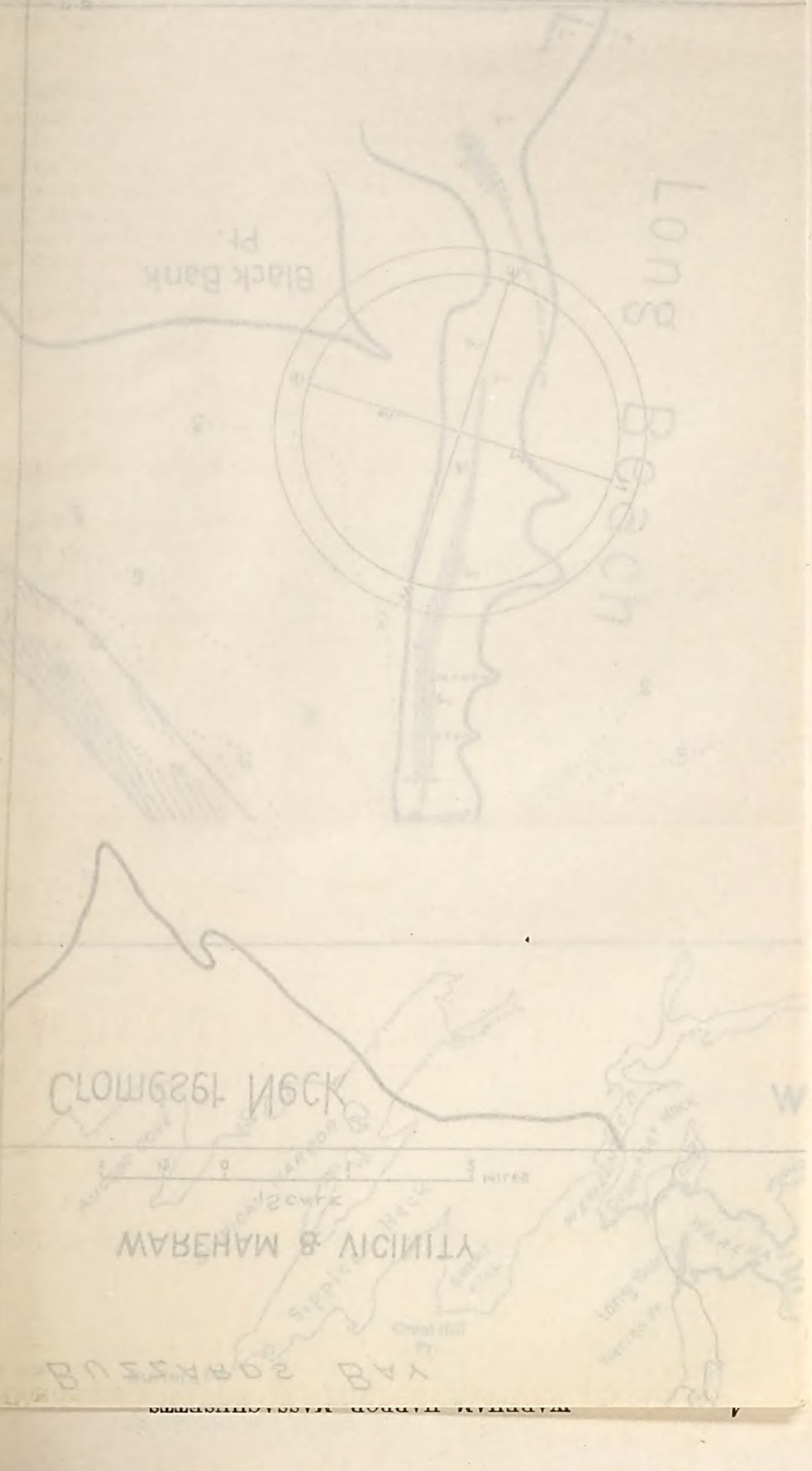
Barneys Pt.

R. R.

H Doc 200 54 1

— P. B. —

THE NORRIS PETERS CO. PHOTO-LITHO., WASHINGTON, D. C.



54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 201.

WARDEN UNITED STATES JAIL, DISTRICT OF COLUMBIA

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

Copy of a communication from the Attorney-General with accompanying papers, recommending an increase of the salary of the warden of the United States Jail, District of Columbia.

FEBRUARY 5, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, *February 4, 1896.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General, of the 1st instant, and its accompanying papers, recommending that the salary of the warden of the United States Jail, District of Columbia, provided for in the District of Columbia appropriation bill for the fiscal year 1897, be increased from $1,800 to $2,500 per annum.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., February 1, 1896.

SIR: I have to recommend, in view of the representations in a letter from the warden of the United States Jail, District of Columbia, and the recommendations of the chief justice and the associate justices of the supreme court, District of Columbia, copies of which are inclosed herewith, that the item in the District of Columbia appropriation bill for the fiscal year 1897, appropriating $1,800 for the salary of the warden of said jail, may be changed so as to increase said salary to $2,500 per annum. This increase has been recommended in the annual reports of Attorneys-General for the years 1887, 1888, 1889, and 1890.

Respectfully,

JUDSON HARMON,
Attorney-General.

The SECRETARY OF THE TREASURY.

SUPREME COURT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., January 28, 1896.

SIR: We have read the letter of the warden of the jail of this District requesting you to recommend the increase of the salary of that office. Undoubtedly the salary of $1,800 per annum, fixed many years ago, is very inadequate to the largely increased duties and responsibilities of the position. The jail is full to its capacity of about 300 nearly all the time, and many of the inmates are, at all times, convicts. The law authorizes the employment of the convicts, and recently some of them have been employed in and about the jail, and it is hoped that much more may be done in this direction in the near future. All the time of the warden is necessarily employed about his duties, and the present salary is not a fair compensation for a man competent to perform the duties properly.

We have heretofore recommended the increase of this salary, and we believe that one or more of your predecessors have done so. We hope you may find it proper to use your efforts with the proper committees of Congress to have the increase made as requested by the warden.

Respectfully,

E. F. BINGHAM, C. J.
A. B. HAGNER.
A. C. BRADLEY.
L. E. MCCOMAS.
WALTER S. COX.
CHAS. C. COLE.

The ATTORNEY-GENERAL.

UNITED STATES JAIL,
Washington, D. C., January 27, 1896.

SIR: The District Jail, during the past twenty years, has grown into an institution of great importance to the District of Columbia, as well as to the General Government. The number committed annually is now far in excess of former years. This, with improved methods of management, has greatly increased the responsibility of the warden, who is now required to perform duties of an exacting character.

The improvements made in the building during the past year by the present warden have added greatly to the value of the property, and have been executed at a saving to the Government of a very considerable sum. The utilization of prison labor in these improvements was made necessary because the appropriations have been very small, and have thus added greater care and responsibility to his charge.

The proposed improvements contemplated in the near future will add still greater responsibility and additional duties to the office of the warden.

The salary of the warden, fixed many years ago at $1,800, is wholly inadequate to the great trust and responsibility incident to the office. I therefore respectfully call the attention of the Department of Justice to the foregoing statement, and submit the following: The salary of the warden should be, in my judgment, increased to $3,000 per year, and I respectfully ask the Attorney-General to recommend this increase to the Committee on Appropriations. This sum would be far below that of the wardens of prisons of this class in other places. The warden at Leavenworth, Kans., receives $3,500.

The Department of Justice is familiar with the saving effected under my management, which may be urged as a reasonable matter of increase in my salary. An increase in the salary of the warden has been recommended by former Attorneys-General.

Very respectfully,

JOHN R. LEONARD,
Warden.

The ATTORNEY-GENERAL UNITED STATES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 202.

CAPT. JOHN L. BULLIS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Attorney-General relating to the reimbursement of Capt. John L. Bullis, Twenty-fourth Infantry, United States Army.

FEBRUARY 5, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 4, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General, of the 1st instant, looking to an appropriation of $100 to reimburse Capt. John L. Bullis, Twenty-fourth Infantry, United States Army, in full for amount actually paid by him for expenses incurred in a suit brought against him by E. W. Kingsbury, an ex-Indian trader at San Carlos Agency, Ariz., in 1891.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., February 1, 1896.

SIR: House Ex. Doc. No. 325, Fifty-third Congress, third session, related to a claim of Capt. John L. Bullis, Twenty-fourth Infantry, United States Army.

An appropriation of $600.15 to pay his claim was made in the deficiency act March 2, 1895, to reimburse him for expenses incurred in a suit brought against him by E. W. Kingsbury, an ex-Indian trader at San Carlos Agency, Ariz., in 1891. In that sum was included an item of $150 paid by him to an attorney at law for professional services. He had paid the attorney $250, but as this Department had valued said services at only $150 that sum was stated in the account. It is proper

to say that when the approval was made for only $150 it was not known that he had actually paid therefor $250.

In a letter of December 14, 1895, he asks to be reimbursed for the remaining $100. It seems to be a just demand, as the expense was actually incurred by him.

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 203.

C. R. EVANS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A letter of the Attorney-General submitting for an appropriation the account of C. R. Evans for legal services.

FEBRUARY 5, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 4, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General, of the 1st instant, submitting for an appropriation the account of C. R. Evans, $250, for legal services in the habeas corpus proceedings in the case of J. B. Gordon, the particulars of which are fully set forth in House Ex. Docs. Nos. 92 and 182, Fifty-third Congress, second session, and No. 170, Fifty-third Congress, third session.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., February 1, 1896.

SIR: House Ex. Docs. Nos. 92 and 182, Fifty-third Congress, second session, and No. 170, Fifty-third Congress, third session, submitted for an appropriation the claim of C. R. Evans, $250, for legal services in the habeas corpus proceedings in the case of J. B. Gordon, who was a duly enlisted soldier in the Army of the United States, and was held as a deserter therefrom by C. C. Hewitt, a commissioned officer of the United States Army on duty as a recruiting officer at Chattanooga, State of Tennessee, Hewitt, being charged with illegally holding Gordon, secured the professional services of Mr. Evans.

The claim is again presented to Congress, at the request of Mr. Evans, dated October 1, 1895.

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 204.

SURVEY OF ALLEGHENY RIVER, PENNSYLVANIA.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of survey of Allegheny River, Pennsylvania.

JANUARY 27, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., January 24, 1896.

SIR: I have the honor to transmit herewith letter from the Chief of Engineers, dated January 22, 1896, together with a copy of a report from Maj. R. L. Hoxie, Corps of Engineers, dated December 9, 1895, of a survey made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Allegheny River, Pennsylvania.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 22, 1896.

SIR: I have the honor to submit the accompanying report of December 9, 1895, with two maps, by Maj. R. L. Hoxie, Corps of Engineers, of the results of survey of Allegheny River, Pennsylvania, for lock and dam at or near Tarentum, and lock and dam at the most practicable point for navigation between the proposed dam at Tarentum and Herr Island Dam, made to comply with provisions of the river and harbor act of August 17, 1894.

It is the opinion of Major Hoxie that slack-water navigation from the site of Herr Island Dam to Tarentum may be secured by the construc-

tion of two locks and dams, one just above the head of Six Mile Island, and the other at Springdale, at a cost of $500,000.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF ALLEGHENY RIVER, PENNSYLVANIA, FOR LOCK AND DAM AT OR NEAR TARENTUM, AND LOCK AND DAM AT THE MOST PRACTICABLE POINT FOR NAVIGATION BETWEEN THE PROPOSED DAM AT TARENTUM AND HERR ISLAND DAM.

UNITED STATES ENGINEER OFFICE,
Pittsburg, Pa., December 9, 1895.

GENERAL: I have the honor to submit the following report upon a survey of the Allegheny River, Pennsylvania, for lock and dam at or near Tarentum, and lock and dam at the most practicable point for navigation between the proposed dam at Tarentum and Herr Island Dam, made in conformity with instructions from the Chief of Engineers, and pursuant to section 12 of the river and harbor act of August 17, 1894.

The preliminary examination of this locality, made in 1892 pursuant to section 6 of the river and harbor act approved July 13, 1892, appeared to indicate that the technical requirements of the act of Congress could not be complied with, although in the report of this preliminary examination it is stated that the matter could be more intelligently discussed after proper survey of the locality. Such a survey having now been completed, it seems quite practicable to conform to the letter and spirit of the act.

The contemplation of the law appears to be that slack-water navigation shall be extended upon the Allegheny River from the site of Herr Island Dam, at the foot of Twenty-second street, in the city of Pittsburg, Pa., to the town of Tarentum, situated about 21 miles farther up the river, by the construction of two locks and dams. The site of one of these dams is approximately fixed in the act as "at or near Tarentum." The phrase "at or near" was doubtless intended to mean such location, more or less near to Tarentum, as might be required to pool the water of the river as far as the site of this town, and this interpretation of the law permits a compliance with the further and seemingly more imperative condition that the improvement should be completed by the construction of two locks and dams. Fortunately the conditions are such that both of these requirements may be complied with. A very careful survey and examination of the river between Herr Island Dam and Tarentum, together with detailed surveys at the sites which appeared to present the necessary conditions, gives the locations shown upon the accompanying maps, where, at reasonable cost, the works required for extending slack-water navigation from the Herr Island Dam to Tarentum may be constructed.

From the low-water surface of the Allegheny River at Tarentum to level of the Davis Island Pool at the site of Herr Island Dam the river has a fall of 26.9 feet; adding to this 3.1 feet required to give 6 feet depth of pool at Tarentum gives a total of 30 feet for the difference in elevation between Davis Island Pool and Pool No. 3, or Tarentum

Pool. Of this, 7 feet is overcome by the lift of Herr Island Dam, leaving 23 feet to be overcome by the two additional locks and dams. The Herr Island Pool gives 6 feet in the river channel to a point a little below the head of Six Mile Island, and the site selected for Dam No. 2, just above the head of the island, may be reached with this or a greater depth with the assistance of very little dredging of soft material at the upper end of the pool. Here a lift of 11 feet will give 6 feet depth in the channel of Pool No. 2 as far up as Springdale, where a desirable site is found for Dam No. 3. This site is 5 miles distant from Tarentum, and a lift of 12 feet gives a depth in the channel of 6 feet as far as and even some distance beyond the town of Tarentum. A small amount of dredging of soft material may be desirable at the head of Pools 2 and 3 to give proper width and depth of channel.

From experience in the construction of similar work upon the Allegheny and Monongahela rivers, and bearing in mind the necessity for deep foundations and strong construction of dams in the Allegheny River to resist the movement of great masses of ice and drift, and the deep scour occasioned by the lodgment of ice at the site of the dam, it is estimated that the cost of each lock and dam herein proposed will be about $250,000, or a total of $500,000 for extending slack-water navigation from the site of Herr Island Dam to Tarentum.

This survey was made by Mr. J. W. Arras, assistant engineer, whose report is transmitted herewith.

Very respectfully,

R. L. HOXIE,
Major of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

REPORT OF MR. J. W. ARRAS, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Pittsburg, Pa., November 4, 1895.

MAJOR: I have the honor to submit the following report upon survey for locks and dams in the Allegheny River, Pennsylvania:

Levels were run between Herr Island Dam, at the foot of Twenty-second street, Pittsburg, and the head of Tarentum Island, opposite the town of Tarentum, in order to determine the slope of the river and the fall to be overcome. This work was accomplished in October and November, 1894. It developed that the total difference between the elevation of the Davis Island Dam pool and that of the natural pool at Tarentum at low water is 26.9 feet. The elevation of the Davis Island Dam pool is 703 feet above mean ocean tide at Sandy Hook, and to create a 6-foot navigable pool at Tarentum it was ascertained that the water at that point must be raised to an elevation of 733, or 30 feet above the level of the Davis Island Dam pool. Deducting 7 feet, the proposed lift of the Herr Island Dam over the Davis Island Dam pool, there remain 23 feet to overcome in two lifts to effect a 6-foot navigation from Pittsburg to Tarentum. Lifts of 11 or 12 feet in fixed dams not being excessive, this was deemed entirely feasible, provided obstacles in the shape of low banks or islands were not encountered.

The low-water slope and elevations of the river bed suggested the foot of Six Mile Island and foot of Fourteen Mile Island as the proper locations for two dams of about equal lift to overcome the total of 23 feet. In order to determine the practicability of erecting and maintaining locks and dams on these locations preliminary hydrographic surveys were made, developing the heights of banks and islands, depth of water, character of river bed, etc. From the survey at the foot of Six Mile Island it was ascertained that the right bank, on which is situated the borough of Sharpsburg, with a population of several thousand, is too low to admit of the erection and maintenance of a fixed dam of a height of 11 feet above the level of the Herr Island Dam pool; also that Six Mile Island would, in the event of such a dam being constructed below it, be submerged on the occasion of every rise of even a few feet, thus destroying its value entirely for agricultural purposes.

Attention was next turned to the head of Six Mile Island as a prospective location. Here the banks were found to be amply high for the dam proposed, but to maintain a 6-foot navigation from the foot of the island to the lock it was found that some light dredging would probably become necessary. Owing to the presence of rock close to the surface of low water along the left bank, which the channel follows closely, a thorough examination of the river bed was made, developing the fact that no rock would be encountered in deepening the channel to 10 feet under Herr Island Dam pool level, if desirable. After completing the survey above the island it was deemed advisable to locate the lock and dam about 800 feet above the head, in order to avoid the heavy dredging necessary at the head of the island to secure a foundation for the dam, to prevent the washing away of the island by the spill over the dam, and because that location is more easy of access on both sides of the river. The channel being close to the left bank, the lock, which should be located on that side of the river, may be built entirely on a natural rock foundation.

A similar hydrographic survey was also made at the foot of Fourteen Mile Island, which developed the fact that a dam at that point raising the water 11.5 feet over the proposed Six Mile Island Dam pool would destroy, to a great extent, the value of the island for agricultural purposes, by causing it to overflow at every slight rise. Also considerable land on the right bank, opposite the head of the island, would be frequently submerged. An examination of the river at the head of the island was then made, where it was found that the left bank, along which the channel follows, and on which the lock must be located, was unstable and treacherous, the rock formation being very steep. The bank on the right was also found to be very low for a fixed dam of the height required here. However, the examination of this locality revealed the fact that the ridge at the head of Fourteen Mile Ripple is very short, and is not underlaid with rock such as would interfere with securing a navigable depth of 6 feet over it, and it was therefore decided to select for this lock and dam a location near the head of the pool above Fourteen Mile Island, known as Logans Eddy. Accordingly a survey was made opposite the village of Springdale, which site proved to be a favorable one for the erection and maintenance of a lock and dam. In this instance also it would be more desirable to locate the lock at the left bank, that being the deep-water or channel side of the river, and there being at least sufficient rock on which to erect the land wall.

The location of the proposed Six Mile Dam is 5.1 miles above Herr Island Dam, and that of the proposed dam at Springdale 10 miles above the Six Mile Dam.

A map of each survey, showing the proposed locations of the dams, together with a profile showing the low-water slope, the heights and lifts of the first three dams in the Allegheny River, and the navigable depths of the pools, accompany this report.

Very respectfully, your obedient servant,

J. W. ARRAS, *Assistant Engineer.*

Maj. R. L. HOXIE,
Corps of Engineers, U. S. A.

ALLEGHENY RIVER

PROPOSED LOCATION OF LOCK AND DAM

NEAR

SPRINGDALE

MADE UNDER THE DIRECTION OF

MAJOR R. L. HOXIE.

CORPS OF ENGINEERS U.S.A.

BY

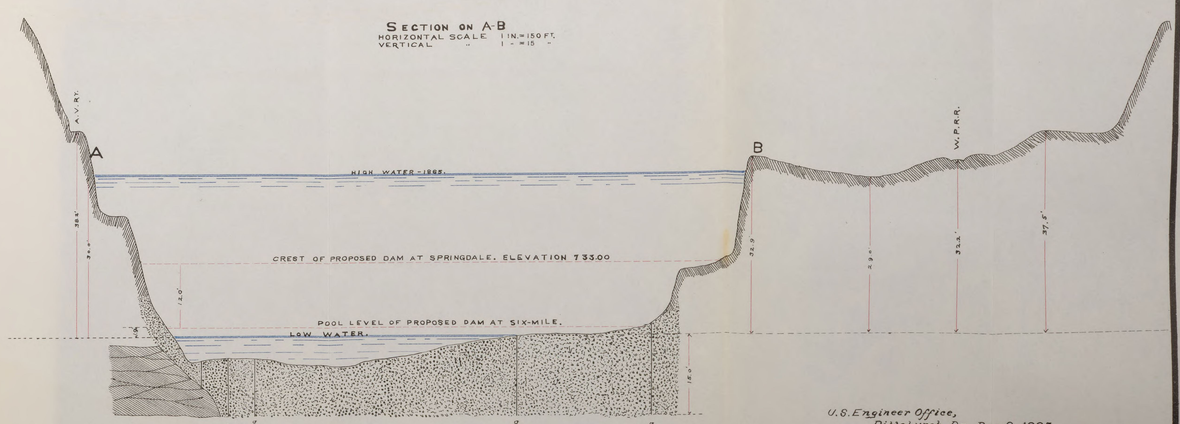
J. W. ARRAS ASST. ENGR.

SCALE 1in=150ft SEP. 1895

NOTE:

ALL SOUNDINGS, ELEVATIONS OF SHORES AND BORINGS FOR ROCK ARE REDUCED TO NATURAL LOW WATER LEVEL.
BLACK CIRCLES DENOTE BORINGS FOR ROCK. WHERE ROCK WAS ENCOUNTERED BORINGS ARE SHOWN THUS ⊗

SECTION ON A-B
HORIZONTAL SCALE 1 IN.=150 FT.
VERTICAL " 1 - =15 "



U.S. Engineer Office,
Pittsburgh, Pa., Dec. 8, 1895.
Respectfully transmitted to the Chief of Engineers, U.S.A.,
with report of this date.

Major of Engineers, U.S.A.

H Doc. 204 54 1

THE NORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.

MAGNETIC MERIDIAN

AMERICAN GUT COMP

2



54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 205.

U. S. DEPARTMENT OF AGRICULTURE.

BUREAU OF ANIMAL INDUSTRY.

TENTH AND ELEVENTH ANNUAL REPORTS

OF THE

BUREAU OF ANIMAL INDUSTRY

FOR

THE YEARS 1893 AND 1894.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1896.

[PUBLIC—No. 15.]

AN ACT providing for the public printing and binding and the distribution of public documents.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth, as directed by the Joint Committee on Printing, and shall be of the number following, in addition to the usual number:

* * * * * * *

Of the Report of the Bureau of Animal Industry, thirty thousand copies, of which seven thousand shall be for the Senate, fourteen thousand for the House, and nine thousand for distribution by the Agricultural Department.

LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., January 7, 1896.

SIR: I have the honor to transmit herewith the Tenth and Eleventh Annual Reports of the Bureau of Animal Industry, prepared in accordance with section 1 of the act of Congress approved May 29, 1884, which provides that it shall be the duty of the chief of this Bureau "to investigate and report upon the condition of domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country." The printing of this report is provided for in section 73 of "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895.

It was my intention to include in this report the bulletins on investigations of subjects of general interest which had been published in pamphlet form during the years covered by this volume. These have been withdrawn, however, in accordance with a ruling of the Department that matter already in bulletin form should not be included. It was then too late for the preparation of new articles which might be substituted for those withdrawn.

While this report contains an account of the more important operations of the Bureau of Animal Industry for the years 1893 and 1894, the scientific investigations are not recorded herein, as the results of these have already been published in the bulletins which have been issued from time to time as material became available.

As papers of great interest and importance from their bearing on agriculture and commerce, I mention especially one on anthrax as it exists in the United States, in South Africa, in Australia, and in Great Britain, together with the results of efforts for its prevention in Australia by means of Pasteur's method of vaccination.

There is also a paper on the extirpation of the disease of horses known as maladie du coït, a work of great value, accomplished under the direction of this Bureau. The prevalence of tuberculosis among dairy cattle

in the State of New York is discussed by Dr. E. C. Schroeder from the standpoint of personal observation. The injuries caused in cattle by pointed objects which have been swallowed, and the preliminary investigations of an unknown disease in turkeys, will be of much assistance to the intelligent farmers who read them. There have, also, been included two brief articles of a popular character on black quarter and actinomycosis—subjects concerning which many inquiries are addressed to the Department. The compilation of the laws of the various States and Territories for the control of contagious animal diseases furnishes essential information to shippers of stock from one State into another, and to the legislators of any one State who desire to profit by the laws on this subject which have been enacted and tested in our States.

I recommend that the report outlined above be forwarded to the Public Printer for publication.

Very respectfully,

D. E. SALMON,
Chief of Bureau of Animal Industry.

To Hon. J. STERLING MORTON,
Secretary of Agriculture.

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TENTH AND ELEVENTH ANNUAL REPORTS OF THE BUREAU OF ANIMAL INDUSTRY.

REPORT OF THE CHIEF OF THE BUREAU.

TRANSACTIONS OF THE BUREAU FOR 1893.

There has been great activity during the year in the various lines of work conducted by this Bureau, and considerable modification has been made in the direction and disposition of the force in the field, which will be referred to in the enumeration of the various details which are necessary to an understanding of the subject. Notwithstanding the large force of employees and the considerable expenditures of money, the field of work which Congress has committed to the Bureau of Animal Industry has only been entered upon, and a much greater development and extension is required before the objects of the statutes are fully complied with. It will be the aim of this report to indicate the more important things which should be done in accordance with existing laws, as well as to state what has been done during the fiscal year ended June 30, 1893.

ERADICATION AND CONTROL OF CONTAGIOUS DISEASES.

The suppression and extirpation of contagious, infectious, and communicable diseases of animals, and more particularly of the contagious pleuro-pneumonia of cattle, was the most prominent object indicated by the organic act for the establishment of the Bureau. Other duties have since been added, as, for example, the inspection of live animals for export, and the inspection of meat for the interstate and export trade, but the value of these new fields of work should not lead to neglect or to a lack of appreciation of the subjects which were at first considered of paramount importance.

A number of contagious diseases still exist in the United States, which cause heavy losses to stock owners, and which we have not yet attempted to suppress or extirpate. Tuberculosis, the most widespread of animal plagues, is attracting more and more attention each year, because of its ravages among animals and its danger to human health and life. Hog cholera is disseminated to all parts of the country by infected cars or by hogs which have been unloaded in infected yards, and have contracted the disease by such exposure. Glanders in horses is controlled in a few of our States only, and eradicated in none. All of these maladies deserve attention, both because of the direct losses resulting from them and the danger to the public health which is inseparable from their existence.

CONTAGIOUS PLEURO-PNEUMONIA.

The work for the eradication of contagious pleuro-pneumonia, which has been crowned with complete success, demonstrates what may be accomplished in this direction by the National Government for the stock interests of the country. This disease, which was introduced into the United States half a century ago and allowed to spread until 11 States had been infected and the entire cattle interest had been endangered, has been completely extirpated, and no case of it has been discovered since March 25, 1892.

The difficulty of ascertaining definitely that no contagion exists in a district once infected has led to the expression of doubt from some sources as to the correctness of the conclusion that the disease has been thoroughly and completely eradicated. These objections were, however, anticipated, and precautions were taken which should inspire the utmost confidence. It was the policy of the Bureau to keep up the inspection and quarantine regulations in infected districts for six months after the discovery of the last case of the disease before declaring the plague eradicated, and to continue the inspection another six months before withdrawing the inspectors from the district. The inspection was, therefore, maintained in the counties of Essex and Hudson, in the State of New Jersey, and Kings and Queens counties, in the State of New York, until April 1, 1893. The period of one year after the last case of disease expired on the 25th of March, 1893, and the entire force engaged in this inspection was dismissed at the end of that month.

In addition to the work of the special inspectors engaged in the search for pleuro-pneumonia, the Bureau has another means of discovering the existence of such a disease—in the meat-inspection service, now in operation at the principal abattoirs of the United States. During the past year nearly 4,000,000 head of cattle were examined at the time of slaughter, and post-mortem examinations were made by veterinarians. Such a disease as pleuro-pneumonia could not exist among such cattle in the United States without attracting the attention of these inspectors. In not a single instance, however, have the reports shown the discovery of lesions such as indicate either the acute or chronic stage of this disease.

A private inquiry has been recently made by Dr. John W. Gadsden, a distinguished veterinarian of Philadelphia, through the members of the veterinary profession in the United States, to determine if any members of this profession had cognizance of the existence of pleuro-pneumonia. In a paper read before the International Veterinary Congress at Chicago in October, 1893, Dr. Gadsden stated that he could obtain no trace of the disease in the United States, and that he was convinced of its complete eradication.

More satisfactory evidence than this it is impossible to procure in any country or under any conditions. The local authorities of the various sections of the country have recognized this, and have withdrawn the prohibitions placed for so long a time on cattle from districts that were once known to be infected. The only injurious effects which remain as a legacy from the period of infection are found in the Canadian quarantine of ninety days and the British restrictions on the landing of live cattle of American origin, which are still enforced. There are no indications of the length of time which the British Government will consider it necessary to maintain restrictions after it has been

officially notified that such regulations are no longer necessary; but it is hoped that the prevailing views of the British people in favor of an unrestricted international trade will eventually lead to the withdrawal of a prohibition which is as inconsistent with existing facts as with these professions of principle.

TEXAS FEVER.

This disease, which is caused by infection disseminated by cattle not from Texas alone, but from other States adjacent to the Gulf Coast and South Atlantic Seaboard, is now so well understood through the investigations of this Bureau that its prevention, except in isolated cases, is easily effected. The regulations for this purpose are designed with a view of (1) defining the infected district, (2) keeping the cattle originating in this district from coming into contact with cattle from other sections of the country, and (3) disinfecting cars and pens which are likely to be used for susceptible cattle.

The knowledge of the exact limits of the infected area is still somewhat imperfect, as it can be derived only from observations of the results of shipping cattle which afterwards come into contact with susceptible animals under conditions proper for the transmission of the infectious agent. The definition of the infected district, which we already know is very nearly correct, is therefore experimentally changed from year to year to a slight extent, in accordance with the results of the experience of the preceding year. In this way restrictions have been removed from a considerable district which was at first supposed to be dangerous, but which is now known to be safe.

The following is the full text of the regulations for the year 1893, as issued by the then Secretary of Agriculture, Hon. J. M. Rusk, under date of February 15, 1893:

To the managers and agents of railroad and transportation companies of the United States, stockmen, and others:

In accordance with section 7 of the act of Congress approved May 29, 1884, entitled "An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals," and of the act of Congress approved July 5, 1892, making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1893, you are hereby notified that a contagious and infectious disease known as splenetic or southern fever exists among cattle in the following-described area of the United States:

All that country lying east and south of a line commencing at the southwest corner of the county of Pecos, State of Texas, on the Rio Grande River; thence following the western boundary of Pecos County to the southeast corner of Reeves County; thence following the boundary line between the counties of Pecos and Reeves to the Pecos River; thence southeasterly following the said Pecos River to the northwest corner of Crockett County; thence easterly along the northern boundaries of Crockett and Schleicher counties to the southeastern corner of Irion County; thence northerly along the eastern boundary of Irion County to the northeast corner of said county; thence northerly to the southern boundary of Coke County; thence westerly to the southwestern corner of Coke County; thence northerly along the western boundary of Coke County to the southern boundary of Mitchell County; thence easterly to the southeast corner of Mitchell County, and thence northerly along the western boundaries of Noland and Fisher counties to the southern boundary of Kent County; thence easterly along the southern boundary of Kent County to the southwestern corner of Stonewall County; thence northerly along the western boundary of Stonewall County to the southeastern corner of Dickens County; thence easterly along the northern boundary of Stonewall County, to the southwestern corner of Knox County; thence northerly along the western boundaries of Knox and Hardeman counties to the Red River; thence northwesterly following the Red River to its point of intersection with the one hundredth meridian of longitude; thence northerly from said point of intersection along said one hundredth meridian to the southern

boundary of the State of Kansas; thence easterly along the southern boundary of the State of Kansas to the northeast corner of the Indian Territory; thence southerly along the eastern boundary of the Indian Territory to the southwest corner of the State of Missouri; thence easterly along the southern boundary of the State of Missouri to the Mississippi River; thence running southerly along the Mississippi River to the southwestern corner of the county of Lauderdale, State of Tennessee; thence running easterly following the southern boundaries of the counties of Lauderdale, Crockett, Gibson, Carroll, Benton, Perry, Lewis, Maurey, Marshall, Bedford, Coffee, Grundy, and Sequatchie to the southwest corner of Hamilton County; thence northerly along the boundary line between the counties of Sequatchie and Hamilton to the southwest corner of Rhea County; thence easterly along the southern boundaries of the counties of Rhea, Meigs, McMinn, and Monroe, State of Tennessee, to the eastern boundary of said State; thence following the northern boundaries of the counties of Cherokee, Macon, Jackson, Transylvania, and Henderson, State of North Carolina, to the southeast corner of the county of Buncombe, of said State; thence in a northeasterly direction following the Blue Ridge Mountains to the southwestern corner of the county of Amherst, State of Virginia; thence southeasterly along the southern boundary of the county of Amherst to the western boundary of the county of Appomattox; thence northeasterly along the eastern boundaries of the counties of Amherst, Nelson, and Albemarle to the southern boundary of the county of Orange; thence along the southern boundary of the county of Orange to the boundary line of the county of Spottsylvania; thence along the eastern boundary of the county of Orange to the southern boundary of the county of Culpeper; thence easterly along the southern boundaries of the counties of Culpeper and Stafford to the boundary of King George County; thence northerly along the eastern boundary of Stafford County to the Potomac River; thence following the Potomac River southerly to the Chesapeake Bay; thence easterly along the southern boundary of the State of Maryland to the Atlantic Ocean.

From the 15th day of February to the 1st day of December, 1893, no cattle are to be transported from said area to any portion of the United States north or west of the above-described line, except by rail for immediate slaughter, and when so transported the following arrangements must be observed:

(1) When any cattle in course of transportation from said area are unloaded north or west of this line to be fed or watered, the places where said cattle are to be so fed or watered shall be set apart and no other cattle shall be admitted thereto.

(2) On unloading said cattle at their points of destination, pens shall be set apart to receive them, and no other cattle shall be admitted to said pens; and the regulations relating to the movement of Texas cattle, prescribed by the cattle sanitary officers of the State where unloaded, shall be carefully observed. The cars that have carried said stock shall be cleansed and disinfected before they are again used to transport, store, or shelter animals or merchandise.

(3) All cars carrying cattle from said area shall bear placards stating that said cars contain Southern cattle, and each of the waybills of said shipments shall have a note upon its face with a similar statement. Whenever any cattle have come from said area and shall be reshipped from any point at which they have been unloaded to other points of destination, the cars carrying said animals shall bear similar placards with like statements, and the way bills be so stamped. At whatever point these cattle are unloaded they shall be placed in separate pens, to which no other cattle shall be admitted.

(4) The cars used to transport such animals, and the pens in which they are fed and watered, and the pens set apart for their reception at points of destination, shall be disinfected in the following manner:

(*a*) Remove all litter and manure. This litter and manure may be disinfected by mixing it with lime or diluted sulphuric acid, or, if not disinfected, it may be stored where no cattle can come into contact with it until after December 1.

(*b*) Wash the cars and the feeding and watering troughs with water until clean.

(*c*) Saturate the walls and floors of the cars and fencing, troughs and shutes of the pens with a solution made by dissolving 4 ounces of chloride of lime to each gallon of water. Or disinfect the cars with a jet of steam under a pressure of not less than 50 pounds to the square inch.

(5) It is further expressly provided that cattle which have been at least ninety days in the counties of Coke, Nolan, Fisher, Stonewall, Haskell, Knox, and Hardeman, State of Texas, which lie within the above described area, may be moved from said counties by rail into the States of Colorado, Wyoming, Montana, and South Dakota, in accordance with the regulations made by said States for the admission of Southern cattle thereto: *Provided*—

(1) That cattle from said area shall go into said States only for slaughter or grazing, and shall on no account be shipped from said States into any other State or Territory of the United States before the 1st day of December, 1893.

(2) That such cattle shall not be allowed in pens or on trails or on ranges that are

to be occupied or crossed by cattle going to the Eastern markets before December 1, 1893, and that these two classes of cattle shall not be allowed to come into contact.

(3) That all cars which have carried cattle from said area shall, upon unloading, at once be cleaned and disinfected in the manner provided by these regulations.

(4) That the State authorities of the States of Colorado, Wyoming, Montana, and South Dakota agree to enforce these provisions.

The losses resulting yearly to the owners of susceptible cattle, both in the interstate and export trade, by the contraction of this disease from exposure in unclean and infected cars and pens, and by means of the manure carried in unclean cars from place to place, have become a matter of grave and serious concern to the cattle industry of the United States. It is absolutely essential, therefore, that this cattle industry should be protected as far as possible by separating the dangerous cattle and by the adoption of efficient methods of disinfection.

Inspectors will be instructed to see that disinfection is properly done, and it is expected that transportation companies will promptly put into operation the above methods.

The following supplementary regulation was subsequently issued under date March 13, 1893:

Notice is hereby given that the regulations of the Department of Agriculture, dated February 15, 1893, concerning cattle transportation, are modified so as to permit cattle that have been in the counties of Wilbarger, Baylor, Throckmorton, Shackelford, Jones, and Pecos, State of Texas, since January 1, 1893, and have not come into contact with any cattle brought into said counties from other counties in the infected district since said date, to be moved from the said counties by rail into the States of Colorado, Wyoming, Montana, North Dakota, and South Dakota, in accordance with the regulations made by said States for the admission of Southern cattle thereto: *Provided*—

(1) That a permit shall first be obtained from the Secretary of Agriculture for such movement. The application for said permit must state the name of the county in which said cattle are located, the name of the owner of said cattle, the number of cattle to be moved, and the route over which said cattle are to be transported to the above-named States.

(2) That said permit shall be forwarded to the inspector of the Department stationed at Kansas City, Mo., who will detail an officer to inspect said cattle and ascertain whether they are entitled to be shipped under the provisions of this order, and who, upon finding that the same are so entitled, will countersign said permit and supervise the movement of said cattle to the point of shipment. The said officer, before delivering such permit, shall obtain affidavits of the owner or manager of the cattle and of two reputable and disinterested persons showing that they are acquainted with the cattle sought to be shipped, and that they have known said cattle since the 1st day of January, 1893, and that said cattle have been kept in the territory described above and have not come into contact with any other Southern cattle. These affidavits will be forwarded by him to the Department of Agriculture.

It is further ordered that the second proviso of the fifth rule of the regulations of February 15, 1893, providing that cattle moved into the above-named States under said rule shall not be allowed in pens or on trails or on ranges that are to be occupied or crossed by cattle going to the Eastern markets before December 1, 1893, and that these two classes of cattle shall not be allowed to come into contact, is hereby rescinded.

This was followed, May 19, by a further modification, as follows:

Notice is hereby given that the regulations of the United States Department of Agriculture, of date February 15, 1893, concerning cattle transportation, are modified so as to permit cattle that have been in the counties of Cherokee, Clay, Macon, Jackson, and Transylvania, State of North Carolina, since the 1st day of January, 1893, and have not come into contact with any cattle brought into said counties from other counties in the infected area described in said regulations since said date, to be moved from the said counties by rail into the States of Kentucky, Tennessee, and Virginia for grazing purposes, in accordance with the regulations made by said States for the admission of Southern cattle thereto.

Again, August 30, the following notice was issued:

Notice is hereby given that the regulations of the United States Department of Agriculture, of date February 15, 1893, concerning cattle transportation are modified, from and after September 1, 1893, so as to exclude the counties of Benton, Washington, Carroll, Madison, Boone, Newton, Marion, Searcy, Baxter, Stone, Fulton, Izard, Sharp, Independence, Lawrence, Randolph, Greene, and Clay, in the State of Arkansas, from

the infected area described in said regulations, and the quarantine line established by said regulations is hereby changed so as to place these counties north of said line: *Provided*, That nothing in this order is to be construed to interfere with the regulations of any State affecting the movement of cattle from this portion of the State of Arkansas.

The efforts of the Bureau in maintaining these regulations and in preventing the dissemination of the disease have been very successful. The large stock yards of the country have been kept free from infection, and no reports of losses of any great magnitude from the ravages of this disease have been made to the Department. There have been, however, a number of small outbreaks, due to violations of the regulations or to the necessary driving of cattle intended for slaughter from the railroads and stock yards to the abattoirs. The roads upon which such cattle are driven become infected, and native cattle allowed to travel over them frequently contract the disease. On account of the large interests involved it would not be advisable to stop the driving of Southern cattle to slaughterhouses, particularly as the owners of susceptible cattle have it in their power to guard against the disease by keeping their animals upon their own premises. The animals affected are usually cows which are allowed to run at large in the suburbs of the large cities.

It is to be regretted, however, that there have been some violations of the regulations by railroad companies, which have been followed by the appearance of the disease in various States and also in several shiploads of cattle consigned to foreign ports. The effects of these violations of the regulations are very serious, not only in the direct losses of cattle caused by the disease, but in the unfavorable influence on the export trade and upon the restrictions enforced by other countries. In general, transportation companies have cheerfully and efficiently cooperated with this Bureau by giving stringent orders to their employees to comply with the regulations. In a few cases, however, there has been a disposition to evade the requirements, which, if persisted in, should be met with prosecution in the courts, or, if this fails, by legislation providing that cars for carrying infected cattle should be painted a distinctive color and used for that purpose only.

The publication of the special report of this Bureau on the nature and causation of Texas fever has led to experiments being made in various parts of the country with a view to destroying the ticks which act as bearers of the contagion, and thus rendering the Southern cattle harmless. The chief difficulties have been to discover some substance or compound that could be applied to the infected cattle and which would destroy the ticks without injuring the animals or involving too much expense.

Mr. R. J. Kleberg, secretary of the Texas Live Stock Sanitary Commission, has used a mixture which he believes to be effectual and the cost of which is only about 1 cent per animal. He has also invented a dipping tank to contain the mixture into which the cattle are plunged from an automatic trap door in such a manner that they are completely submerged. He estimates that 2,000 head of cattle may be passed through one of these tanks in a day.

The importance of this invention, if experience should confirm the conclusions from the tests so far made, would certainly be very great. It may possibly lead to the disinfection of all of the cattle from the infected district, and thus do away with the separate pens now maintained at the leading stock yards, which have been the cause of more or less dissatisfaction but which have been necessary to prevent the spread

of the disease. Such a change would simplify the regulations, make the prevention more nearly absolute, and would save the annoyance and loss of which shippers from the infected district now complain on account of discriminations made by buyers against cattle from the quarantine pens.

Experiments to test this method will be made during the summer of 1894 on a plan which it is hoped will give decisive results. The dipping tank appears to work very satisfactorily, and there can scarcely be a doubt as to the possibility of passing the animals through it with the necessary facility and rapidity. The only question is as to the efficiency of the mixture which is used for killing the ticks. These parasites have great powers of resistance, and in our experiments at the Bureau laboratory they have not been killed by chemical agents of various kinds, even when far too concentrated to be applied to the bodies of cattle.

MALADIE DU COÏT.

This exotic disease, which has been known in Europe since 1796, was first discovered in the United States in 1884. It was doubtless introduced with some of the horses imported for breeding purposes, and its nature not being at first recognized its dissemination occurred before attention was attracted to it. A considerable number of animals were found to be infected in Illinois, and the danger to the horse industry was such that the disease was eradicated through the efforts of the State authorities.

At that time there were rumors of the existence of the disease in other States, but if it existed elsewhere the affected animals were not located and interest in the subject soon subsided.

In 1892 this Bureau was informed of a disease affecting breeding horses in northwestern Nebraska, which had the general characters of maladie du coït. Dr. George C. Faville was detailed to make an investigation, and after examining a considerable number of animals reported that this disease existed there and that probably 200 horses were infected.

No steps were taken for the eradication of the malady until June 12, 1893, when Dr. Faville was again ordered to Nebraska with instructions from the Secretary of Agriculture to cooperate with Mr. Edward Shelden, agent of the Bureau of Animal Industry, for the purchase and destruction of all affected animals. It was found that a large number of the diseased animals discovered by the investigation of 1892 had since died, and the horse owners of the infected section had taken precautions which had to a large extent prevented the further dissemination of the contagion. Thirty-two diseased animals were found in Nebraska and five in South Dakota. These were all purchased and killed.

The expense of eradicating this disease in the States mentioned, including the salaries and traveling expenses for the time the animals were being searched out, was as follows:

Salaries	$2,512.42
Traveling expenses	1,096.12
Cost of horses (37)	1,624.00
Total	5,232.54

This disease is incurable by any method of treatment now known, although a small proportion of the affected animals recover without treatment. The course of the malady is slow, and, although it at first appears as a local affection, it becomes generalized after a few weeks or months, and animals may live for three or four years, being capable of

disseminating the contagion during all this time. It is, consequently, necessary to destroy affected animals in order to eradicate the disease. In doing this, compensation must be paid, as affected horses are in most cases capable of doing some work, and unless they are bred there is no danger to other animals from them. It is this chance of their being bred, either by the present or some subsequent owner, which makes it essential that they should be destroyed.

The disease is one which rapidly spreads among breeding stock, and in some cases is so mild that no symptoms can be discovered except upon the most careful examination by a veterinarian. A stallion affected in this mild form may be purchased by a person who has not the slightest idea that the animal is unsound, and the result is the infection of a large number of mares before anyone in the locality suspects that the deadly contagion has been introduced.

The existence of this disease in the United States is a great menace to the horse industry. If permitted to spread over a large territory, it will be very difficult to eradicate it, and the work will require much time and a large expenditure of money. Eradication wherever it is discovered is therefore very important.

The extirpation of this disease in Nebraska removes the danger from that outbreak, but it is possible that affected animals still exist in the country, and horse owners should be on their guard. A disease so fatal, and one which is exotic and so easily extirpated, should not be allowed to remain on our soil. But owners of diseased horses do not report its presence in their animals. On the contrary, some of them conceal it and allow their animals to communicate it to others. With such a lack of public spirit among citizens, the complete extermination of the disease may require considerable time, but if stamped out wherever found it will eventually entirely disappear.

TUBERCULOSIS.

Although tuberculosis is undoubtedly a contagious disease, and is spread from one State to another by the shipment of affected animals, this Bureau has not undertaken to control or eradicate it. The general distribution of the disease, the number and the value of the animals infected, and the large force of inspectors that would be required, have made it evident that careful deliberation should be given to the subject, as the work, when undertaken, will involve great expense.

Preliminary investigations have been undertaken for determining, more accurately than is now known, the proportion of animals affected, the best means of detecting the disease, and the most practicable measures for its prevention and eradication. Tuberculin is being made in the laboratory of the Bureau and is distributed to State authorities having jurisdiction over the diseases of animals, as a means of cooperating with them. This chemical substance, which is produced during the growth of the bacillus in suitable liquids, is of inestimable value in detecting the disease, since, when injected under the skin in proper doses, it causes the temperature to rise from 2° to 5° F., while in healthy animals no such effect is produced.

Heretofore all of the tuberculin to be obtained in this country was imported from Europe and sold at prices which greatly restricted its use. There is now great demand for it, but the facilities of the Bureau have hardly been sufficient to supply the local authorities who have been using it. Public interest in the question of limiting the prevalence of tuberculosis is rapidly increasing and one State after another

is taking up the work. It is probable, therefore, that preparations must soon be made for preparing tuberculin in much larger quantities than heretofore. This will require an increase in the expenditures for the laboratory, but there certainly is no other way in which such valuable assistance and cooperation can be given to local authorities with the same expense.

Tuberculosis considered as a disease of the domesticated animals is, on account of the frequency of its occurrence and the losses which it causes, the most important of any with which we have to deal. It therefore demands attention from an economic point of view. In addition to this, however, it is one of the most frequent and fatal diseases of mankind, and may be communicated from animals to people who consume tubercular meat and milk. There is, consequently, every reason why this Bureau, which is charged with the duty of cooperating with the State authorities to prevent the spread of communicable diseases of animals from one State to another, should do what is possible to limit the spread of tuberculosis.

Investigations have been made and are being continued to determine the frequency with which the bacillus of this disease is to be found in the milk from tuberculous cows. These investigations, so far as they have gone, indicate that the danger to the public health from this source is not so great as has been supposed by some authorities. That there is some danger, however, is evident from researches which have already been made by other investigators. No doubt the presence of the bacillus in the milk depends upon whether the development of tubercles has invaded the mammary glands. The questions connected with this aspect of the subject are of such vital importance that they should be decided at an early day, and the danger may in the meantime be avoided by pasteurizing the milk before it is used.

The danger of communicating tuberculosis to man through infected meat is not so great as through infected milk. Meat is generally eaten cooked, and is as a rule raised to a sufficient temperature to destroy the vitality of the bacilli. The meat inspection now applied by this Bureau to carcasses slaughtered for the interstate and foreign trade is an additional protection of much value.

It has recently been asserted that the meat and milk of tuberculous animals contain a sufficient quantity of tuberculin to make them especially dangerous articles of food for people already affected with tuberculosis. This assertion, extremely alarming to the large number of people who are more or less affected with the disease, is based on the known fact that tuberculin is produced during the multiplication of the bacillus, and when introduced into the tissues of an affected person in sufficient quantity it causes an access of fever, which is probably accompanied by a temporary increase in the development of the germs. These facts, however, do not warrant the conclusion just mentioned, which has been drawn from them. It is extremely doubtful if tuberculin exists at any one time in the tissues or in the milk in sufficient quantity to affect the persons consuming these articles of food. It is equally doubtful if it would produce its characteristic effects when taken into the stomach of the consumer, even if it should exist in the food to such an extent that the consumer of these articles would receive a full dose in the amount of food consumed at one time. Tuberculin, to produce its characteristic effect, must be injected hypodermically into the tissues. When it is administered by the stomach we have good reason to believe that it is decomposed by the digestive

processes, either partially or completely, and that, consequently, its ingestion is not accompanied by the danger which has been attributed to it.

There is already enough alarm felt in connection with the danger of consuming the products of tuberculous animals without unduly magnifying the results which may follow to the helpless consumer. So far from sharing the view alluded to above, the writer is of the opinion that it is perfectly safe to consume the carcasses of animals which are only slightly affected and which are in a satisfactory condition of flesh. The emaciated carcasses of tuberculous cattle should under all circumstances be condemned, as well as all carcasses in which there is any considerable development of the tubercular process. But when, as is very frequently the case with animals slaughtered on the tuberculin test, there is only an insignificant lesion in one of the lymphatic glands and the animal is fat, free from fever, and shows the general signs of good health, the quality of the meat is not affected, and it may be consumed with perfect safety. The demand for the condemnation of these carcasses is based upon sentiment, not upon reason; and it is the duty of the scientist to advise against such useless destruction of food products, the wholesomeness of which has not been impaired.

GLANDERS.

Glanders is a contagious and incurable disease of horses, more widespread than is generally supposed. It is also communicated to man from affected horses, and is then nearly always fatal in its results. This disease has been allowed to spread without adequate efforts for its control, until it can now be found in nearly every city of any considerable size and in many country districts. The greatest obstacle to its eradication heretofore existing was the difficulty of making a positive diagnosis in many suspected animals. With many affected horses the symptoms are obscure and indefinite, but the power to communicate the disease is just as marked as with those having the most apparent symptoms.

Fortunately, it has been shown by recent researches that the bacillus of glanders produces a substance during its growth in culture liquids similar to the tuberculin produced by the bacillus of tuberculosis, and that this substance, which is called mallein, may be used for the diagnosis of glanders in the same manner as tuberculin is used for the diagnosis of tuberculosis. The greatest problem connected with the control of glanders is therefore solved, and the question is no longer one of possibility but of expediency.

In order to assist State authorities in this work, mallein is prepared at the laboratory of the Bureau and is supplied to them without expense. Occasionally a veterinarian is detailed to conduct the test and decide doubtful cases, but the number of veterinarians available for such work on the force of the Bureau is so small that it is impossible to respond to all requests from local authorities for such assistance. It is evident that more vigorous efforts should be made to eradicate this dangerous and destructive disease. The losses from it each year must be enormous, but it is impossible to obtain any general statistics. The danger to mankind is also considerable, and every year cases are recorded of its transmission to attendants of diseased horses or to unsuspecting persons, who have received the virus in the eye, nose, or mouth as it has been blown from the nostrils of some horse they have passed on the streets.

We know now that glanders arises from contagion only, and that it may, consequently, be stamped out, as pleuro-pneumonia has been, by the judicious application of veterinary sanitary measures. Efforts for its suppression are all the more indicated in this time of depression in the horse industry, when the losses from the malady are severely felt, and when the compensation for condemned animals would be less than under ordinary conditions.

INSPECTION OF ANIMALS IN TRANSIT.

The inspection of animals which are in course of transportation from one State into another or into foreign countries, or which have been imported from foreign countries into the United States, has been maintained. The object of this is to prevent the dissemination of the diseases of cattle which already exist in the United States, to prevent the introduction of contagious diseases with imported animals, and to enable our inspectors to certify to the healthfulness of exported animals. The number of animals, mostly horned cattle, which must be inspected for these purposes is very large, and the work is arduous and exacting.

INSPECTION OF SOUTHERN CATTLE.

During the quarantine season from February 15 to December 1, 1893, the inspectors of this Bureau inspected 64,184 carloads of cattle from the infected district. These cars contained 1,737,380 head of cattle, which were placed in the quarantine pens and kept separate from susceptible animals. Of these cattle 20,075 carloads were in transit for points beyond the first stock yards where they were examined. In all of these cases the cars and waybills were marked and the inspectors at the other cities were notified, in order that there might be a supervision of their movement until their destination was reached.

The cleaning and disinfection of the cars in which infected cattle have been shipped is performed under the supervision of the Bureau inspectors. During the season of 1893 they reported the disinfection of 56,406 cars.

In addition to the supervision of such cattle moved by rail for slaughter, there were inspected 248,230 head of cattle shipped or driven from Texas for grazing purposes. Of these, 4,182 were from the infected area, and were held in quarantine until they could be safely moved. It was also necessary to intercept and quarantine 42,500 other cattle which the owners were attempting to drive across the quarantine line in violation of the regulations.

It will be seen from this statement of the work accomplished that the prevention of Texas fever involves a service of considerable magnitude, and one that is distributed over a very large territory.

INSPECTION OF IMPORT ANIMALS.

The inspection of animals imported into the United States has been continued under the act of Congress approved August 30, 1890. On account of the official announcement by the Government of Great Britain that cattle imported into that country from Canada were found affected with contagious pleuro-pneumonia, this Department issued an order on February 3, 1893, requiring that all cattle imported into the United States from Canada should be retained in quarantine for a period of ninety days. The total number of animals arriving from Canada inspected by this Bureau at the time of importation was

462,092. Of these, 445,507 were sheep, 577 were cattle, and 16,008 were swine. The quarantine stations established at the ports of New York, Boston, and Baltimore for the reception of animals imported from countries not on the American Continent were maintained during the year under the regulations which have been enforced for a number of years. The total number of animals quarantined at these stations was 1,297, of which 77 were cattle, 1,189 were sheep, 24 were swine, and 7 were trained animals. No cases of contagious diseases were found among the imported animals during the year. Attention is again called to the fact that no legislation has been enacted which provides for the inspection of horses imported into the United States. These animals are subject to several very dangerous contagious diseases, which may, at any time, be introduced with them. Already one disease, known as "dourine," or "maladie du coït," which is not indigenous to this country, has been introduced by horses, and this Department deemed the matter of such importance that measures were taken, at considerable cost, for eradicating it.

INSPECTION OF EXPORT CATTLE.

The inspection of cattle for export has been continued during the year under the provisions of the act of Congress approved August 30, 1890. The total number of inspections made during the fiscal year ended June 30, 1893, was 611,542. This number includes reinspections at ports of export of cattle previously inspected at the interior stock yards. The total number of cattle tagged for export was 289,240. Of the total number of cattle examined 292 were rejected for various causes as not being in proper condition for shipment abroad. The exports of live cattle were about 100,000 head, or $25\frac{3}{4}$ per cent less than the preceding year. The falling off occurred during the last half of the year, as the first two quarters showed a slight increase. This loss of trade appears to have been the result of an increase in the cost of export cattle in the American market, which amounted to from 80 cents to $1 per 100 pounds.

VESSEL INSPECTION.

The inspection of vessels has been continued in accordance with the regulations prescribed under the act of Congress approved March 3, 1891, for the safe transport and humane treatment of cattle in their voyage across the Atlantic. The total number of vessels inspected was 696, of which 282 sailed from the port of New York, 209 from Boston, 1 from Portland, 13 from Newport News, 69 from Philadelphia, 6 from Norfolk and 116 from Baltimore. Of 294,002 head of cattle landed in Great Britain during the fiscal year the losses at sea amounted to but 1,377, being 0.47 per cent, or less than one-half of 1 per cent. The loss for 1892 was seven-eighths of 1 per cent, and for 1891 it was $1\frac{3}{5}$ per cent. There has consequently been a continuous diminution of losses at sea as a result of the enforcement of the regulations of this Department. The regulations bearing upon this are the Texas fever regulations, which prevent the infection of export cattle with this disease; the inspection of export cattle, which prevents diseased animals from being exported, and the vessel inspection, which secures proper ventilation, strong and properly constructed fittings for the ships, and good attendance. One of the largest exporters recently informed the writer that whereas, before the enforcement of these regulations, he had paid as high as 8 per cent on the value of the export animals for insurance, he had just made a contract with an insurance company insuring his export cattle for this year for three-fourths of 1 per cent on the value.

INSPECTION OF AMERICAN CATTLE IN GREAT BRITAIN.

This Bureau has continued the inspection of American cattle landed at the foreign animal wharves in Great Britain during the last fiscal year. The object of this inspection is to learn the condition in which our cattle arrive, the extent of the losses at sea, and to determine whether the lung disease with which some of these animals have been found affected by the British inspectors was really contagious pleuro-pneumonia as alleged. Without such an inspection we would have no means of determining the beneficial effects of the various regulations for preventing disease and losses at sea among export cattle. During the year 54 animals found among American export cattle have been reported by the British veterinarians as being affected with contagious pleuro-pneumonia. Our inspectors in Great Britain have examined the lungs which were produced as evidence of this disease, and have in each instance pronounced the diagnosis incorrect, and declared that the animals were affected with the noncontagious forms of pneumonia which arise from exposure during the voyage. The history of these animals, however, has been traced by following the records of the inspection and tagging in the various stock yards in this country, and it has been clearly shown that no contagious disease existed where the animals were fattened, or where unloaded and fed in transit.

The effect of the regulations for the inspection and supervision of export cattle has been excellent from every point of view. The exportation of diseased cattle has been prevented; the losses at sea have been reduced to a minimum; the cattle have arrived in better condition than ever before; the insurance rates have been reduced, and the traffic has been facilitated. The British restrictions preventing the shipment of American cattle inland have not yet been revoked, but the reason alleged for their enforcement has been removed, and although the Government has been very deliberate and conservative in its action concerning this matter, it is presumable that in the end the United States will obtain fair treatment for this important branch of its export trade. Until this is accomplished, it is extremely important that the inspection service, both in this country and England, should be maintained. Without the record obtained from this service, the argument in favor of admission of our cattle could not be made conclusive.

MEAT INSPECTION.

The inspection of live stock and their products under the act of Congress approved March 3, 1891, has been continued in the manner prescribed in the regulations of March 25, 1891. The total number of animals examined which have been marked for identification in the manner prescribed in this law was, for the fiscal year ended June 30, 1893, 6,854,702. Of this number 3,922,174 were beef cattle, 92,947 were calves, 870,512 were sheep, and 1,960,069 were hogs. There were 1,036,809 quarters of dressed beef tagged and exported, and 10,534,102 quarters of dressed beef tagged for the interstate trade. There were 9,096,613 packages of canned, salted, and smoked beef stamped for identification, and 38,955 packages of pork products likewise stamped. Of the cattle inspected there were found diseased on ante-mortem examination 95, and on post-mortem examination 1,584 animals were condemned. Trichinæ were found in 60,108 carcasses of swine, being $3\frac{1}{20}$ per cent of those examined. Of the animals, excluding hogs, condemned

as unfit for human food, 133 were affected with actinomycosis, 583 with tuberculosis, 117 with Texas fever, 589 were badly bruised, and the remainder were otherwise affected.

IMPROVEMENT OF THE MICROSCOPIC WORK.

The experience of the Bureau in making microscopic examinations under the system first established proved that one microscopic examination of the three specimens taken from a carcass in the manner described in the regulations was not sufficient to conclusively establish the freedom of the carcass from trichinæ. The system was therefore changed on September 7, 1892, and an order was issued requiring a double examination to be made of each of the samples submitted for microscopic examination. Out of 1,172,047 carcasses examined since this order went into effect, there were found on the first examination 34,552 containing trichinæ, while on the second examination there were found 5,518 others affected in the same way. This demonstrates the necessity of a second examination in order to secure conclusive results.

COST OF INSPECTION.

The cost of the inspection of cattle, sheep, and calves for the year ending June 30, 1892, was 5½ cents per carcass. The cost of microscopic inspection of pork was 6 cents per carcass. For the year ended June 30, 1893, the cost of the inspection of cattle, sheep, and calves was reduced to 4⅓ cents per carcass, while the cost of microscopic inspection was increased by the double examination to 8¾ cents per carcass. The following tables show the cost of inspection in detail by months:

Statement showing the number of animals inspected, total cost of meat inspection and microscopical examination of pork, and average cost per head for examination during the fiscal year ended June 30, 1892.

Month.	Number of cattle, sheep, and calves inspected.	Cost of inspection.	Average cost per head.	Number of hogs inspected.	Cost of inspection.	Average cost per head.
			Cents.			*Cents.*
July	186,009	$12,337.54	6⅔	9,655	$2,025.51	21
August	280,600	14,402.55	5⅛	14,650	2,236.62	15⅛
September	396,742	15,704.69	4	36,851	3,950.17	10¾
October	463,384	16,224.24	3½	108,978	5,961.16	5⅜
November	334,997	18,872.60	5⅝	119,387	6,047.31	5⅛
December	308,919	14,752.72	4¾	130,995	6,297.02	4⅞
January	325,449	19,541.96	6	118,290	6,451.60	5½
February	278,869	16,127.83	5¾	126,447	7,006.23	5½
March	308,182	16,631.24	5⅓	113,297	7,205.37	5½
April	289,725	15,930.05	5½	141,865	7,026.61	5
May	315,906	20,887.66	6⅝	152,419	8,155.80	5⅓
June	322,767	32,996.65	10⅛	185,241	14,701.82	7⅞
Aggregate	3,811,549	214,459.73	.....	1,276,075	77,065.22	.....

Average cost of inspection for the year: Cattle, sheep, and calves, 5½ cents per head; hogs, 6 cents per head.

Statement showing the number of animals inspected, total cost of meat inspection and microscopical examination of pork, and average cost per head for examination during the fiscal year ended June 30, 1893.

Month.	Number of cattle, sheep, and calves inspected.	Cost of inspection.	Average cost per head.	Number of hogs inspected.	Cost of inspection.	Average cost per head.
			Cents.			*Cents.*
July	367,655	$16,713.55	4½	164,195	$9,671.83	5⅞
August	412,756	17,043.61	4 1/10	181,666	11,494.09	6⅓
September	472,156	16,348.01	3½	126,017	11,686.02	9¼
October	489,672	17,289.29	3½	127,923	12,330.49	9⅔
November	461,043	21,341.62	4⅔	137,446	12,848.76	9⅓
December	398,390	20,644.23	5⅙	159,341	17,175.70	10¾
January	400,448	20,379.19	5 1/12	213,307	19,823.92	9¼
February	358,117	19,021.27	5⅓	181,654	17,996.44	9 9/10
March	387,723	21,982.70	5⅔	177,187	17,341.78	9⅘
April	376,842	19,858.04	5¼	171,701	14,568.14	8½
May	386,251	17,652.71	4½	182,734	14,229.04	7¾
June	374,580	18,006.15	4⅞	145,898	13,200.87	9
Aggregate	4,885,633	226,280.37	.....	1,969,069	172,367.08	.....

Average cost of inspection for the year: Cattle, sheep, and calves, 4¾ cents per head; hogs, 8¾ cents per head.

EXPORTS OF INSPECTED PORK.

During the year ended June 30, 1892, there were exported of inspected pork 76,911 cases, containing 38,152,874 pounds. For the year ended June 30, 1893, the exports of inspected pork amounted to only 41,715 cases, containing 20,677,410 pounds. The quantity exported directly to countries requiring inspection in 1892 was 22,025,698 pounds, and in 1893, 8,059,758. There has consequently been a very heavy decrease in the amount of exports of inspected pork during the past fiscal year. It is asserted by packers and shippers that a considerable portion of the inspected pork which is shipped to Great Britain, Holland, and Belgium is reshipped to countries requiring inspection, but this Department has no means of determining the exact quantities. It should be added that the falling off in the export trade was not confined to inspected pork, but was also marked in the total quantity of pork exported to all countries. In 1892 the quantity exported was 665,490,616 pounds, while in 1893 it amounted to but 527,308,695 pounds. This decrease is, no doubt, accounted for by the high prices of pork which have prevailed in this country during the fiscal year 1893, and which affected the trade to countries requiring inspection more disastrously than the general trade, because the markets for American pork in those countries had been more recently opened and were less firmly established. The following table shows the number of pounds of inspected pork exported from the beginning of the inspection to June 30, 1893, by countries:

Statement showing the number of pounds of inspected pork products exported and examined under the act of Congress of March 3, 1891, from the first exportation of such products, September 6, 1891, to June 30, 1893.

Location.	Number of hogs examined.	Countries to which shipped.				
		Germany.	Belgium.	Holland.	Great Britain.	France.
Chicago	1,127,428	16,047,888	6,332,539	1,757,764	715,992	1,168,127
Milwaukee	360,793	2,274,124	578,232	466,043	6,176,820	139,198
Indianapolis	9,488	2,546	38,218	12,840	47,525	.....
Kansas City	659,018	1,138,151	941,397	479,313	167,877	223,533
South Omaha	305,245	1,450,394	936,305	682,806	55,557	18,504
Boston	313,821	5,861,833	2,221,324	2,805,037	.....	307,283
Ottumwa	60,656	137,731	.....	.....	565,589	6,820
Cleveland	91,100	189,661	12,365	.....	38,527	1,050
Buffalo	129,642	68,546	.....	.....	3,368,259	.....
East St. Louis	7,630	205,313	.....	.....	.....	.....
Pittsburg	17,905	.....	.....	.....	.....	.....
Aggregate	3,082,726	27,376,187	11,060,380	6,203,803	11,136,146	1,864,515

Location.	Countries to which shipped.						Total number of pounds.
	Denmark.	Italy.	Norway and Sweden.	Spain.	British Columbia.	Switzerland.	
Chicago	312,991	76,907	203,319	.....	.....	11,169	26,626,696
Milwaukee	15,085	.....	100,878	.....	.....	.....	9,750,380
Indianapolis	.....	.....	.....	.....	.....	.....	101,129
Kansas City	.....	.....	2,542	4,937	7,000	.....	2,964,750
South Omaha	.....	.....	25,642	.....	12,500	.....	3,181,708
Boston	428,325	6,609	.....	.....	.....	.....	11,630,411
Ottumwa	.....	.....	.....	.....	.....	.....	710,140
Cleveland	.....	.....	.....	.....	.....	.....	241,603
Buffalo	.....	.....	.....	.....	.....	.....	3,436,805
East St. Louis	.....	.....	.....	.....	.....	.....	205,313
Pittsburg	.....	.....	.....	.....	.....	.....	*268,274
Aggregate	756,401	83,516	332,381	4,937	19,500	11,169	59,117,209

*Stored in New York subject to export orders.

Statement showing exports of pork products to the countries requiring certificates of inspection, the estimated value of such products exported, and the expenses from the commencement of the work, June 22, 1891, to June 30, 1893.

Location.	Number of pounds exported.	Estimated value on basis of 12 cents per pound.	Cost of work to June 30, 1893.
Chicago	17,605,913	$2,112,709.56	$68,709.29
Milwaukee	2,428,407	291,408.84	23,533.67
Indianapolis	2,546	305.52	5,297.08
Kansas City	1,366,621	163,994.52	43,291.80
South Omaha	1,468,898	176,267.76	26,492.08
Boston	6,604,050	792,486.00	21,959.79
Ottumwa	144,551	17,346.12	8,923.11
Cleveland	190,711	22,885.32	13,174.89
Buffalo	68,546	8,225.52	12,268.25
East St. Louis	205,313	24,637.56	1,733.93
Total	30,585,556	3,610,266.72	225,383.89
Pittsburg	.....	.....	3,874.91
Nebraska City	.....	.....	6,563.68
Repairs	.....	.....	14.50
Aggregate	30,085,556	3,610,266.72	235,836.98

Statement showing number of pounds and cases of inspected pork exported during the fiscal year ended June 30, 1893.

Country.	Pounds.	Cases.
Germany	7,770,618	16,404
Belgium	4,107,923	7,807
Holland	1,822,067	3,501
France	271,325	522
Great Britain	6,621,351	13,248
Denmark	10,012	20
Italy	7,803	20
Norway and Sweden	25,642	50
British Columbia	19,500	125
Switzerland	11,169	18
Total	20,677,410	41,715

ADDITIONAL LEGISLATION NEEDED.

While the work of meat inspection has been found to be practicable and has been enforced without friction, the Bureau is not able, under existing laws, to properly dispose of unwholesome and condemned carcasses. An extension of the inspection, which has been made since the close of the fiscal year ended June 30, 1893, to the ante-mortem and post-mortem examination of swine, increases the number of condemned carcasses and adds to the difficulty of protecting consumers from condemned meat. The act of Congress of March 3, 1891, under which this inspection is carried on, does not definitely provide for the disposition of unwholesome or diseased carcasses. Section 5 of this act makes it unlawful for any person to transport from one State to another the carcasses of any sheep or swine, or the products thereof, which, on the inspection provided by the Department of Agriculture, had been declared by the inspector to be unsound or diseased. A penalty is provided for any violation of this section. There is nothing in the law, however, which prevents the marketing of these diseased carcasses in the State where the animals are killed. While there is no difficulty in condemning an animal that is found to be diseased or in placing a tag on the carcass, it is still possible for the owner to remove this tag and use the carcass in the local trade. It may be added that it is practically impossible for this Department to follow such diseased carcasses into the local market and prevent their being resold and shipped outside of the State. It is an unfortunate fact that there is not proper protection in the law for the consumers of meat in the State where diseased animals are killed, and that such meat may be shipped into other States without detection in the manner above indicated. To guard against this danger there should be some legislation compelling the immediate destruction of any animal or carcass found by the inspectors of this Department to be diseased and unfit for human food. In no other way can the public be properly protected against the use of this meat.

FUTURE WORK OF THE INSPECTION DIVISION.

The present duties of the inspection division indicate that the inspection of export cattle, import cattle, vessel inspection, the transportation of Southern cattle, and meat inspection may be considered as having become regular and permanent lines of work. These different branches of the service, with the exception of meat inspection, are now well organized and have a force sufficient to cover the entire field of work. The

meat inspection must still be extended to many different abattoirs where it has not yet been enforced. An order of September 13, 1893, extends the meat inspection to all swine slaughtered in the United States for both the interstate and export trade. This will require an increased number of inspectors and assistants. The time has come, however, when there is no longer reason for not enforcing the act of March 3, 1891, which requires the inspection of all cattle, sheep, and swine slaughtered for the interstate trade. The value and desirability of this inspection is appreciated by both the producer and consumer, and the importance of it is even greater than is generally supposed. The aim of the Department should therefore be, in the fulfillment of the duties devolving upon it under the statutes, to extend this inspection as rapidly as possible, until all the animals which are killed for interstate or foreign commerce come under this supervision.

PUBLICATIONS.

Three important bulletins have been issued during the year—one on Texas or Southern cattle fever, which changes almost entirely prevailing views in regard to this disease; the second giving a detailed report of the experiments for the cure of actinomycosis, which demonstrates that this disease, so long believed to be incurable, may be treated with great success; a third which gives the results of investigations in relation to infectious and parasitic diseases of domesticated animals. These bulletins are all extremely important. They contain investigations extending over a considerable period of time, and they are among the most valuable scientific publications which have recently been issued in any country.

REPORT OF THE CHIEF OF THE BUREAU.

TRANSACTIONS OF THE BUREAU FOR 1894.

MEAT INSPECTION.

The inspection of meat has, during the last fiscal year, constituted the most important and extensive part of the work of this Bureau. The ante-mortem and post-mortem examination has been extended to hogs at the various abattoirs where inspection has been established, thus greatly increasing the field of this service and more nearly fulfilling the object of the law.

The meat inspection is now in operation at 46 abattoirs, situated in 17 cities, and the greater part of the meat prepared for the interstate and export trade is inspected. There are, however, a number of large cities from which a great amount of meat is shipped to other States or o foreign countries, which, up to the present, have either inadequate inspection or none at all.

The extension of the inspection has necessarily been slow on account of the difficulty of obtaining competent inspectors, and the time required to organize the work and make it satisfactory at the different points. It has been found desirable to change many details in the methods of conducting the business and to require more specific reports from the inspectors, in order to prevent evasions of the regulations and to maintain a closer supervision of the work from the central office.

These changes have now been effected at each of the various places where the inspection is conducted, and the Bureau is prepared to extend the service as rapidly as the necessary inspectors and other assistance can be supplied.

The number of animals inspected has been increased from 4,885,633 in the preceding fiscal year to 12,944,056. This increased number handled, together with improvements in the methods, has reduced the expense of the inspection, exclusive of the microscopical examination of pork, from $4\frac{3}{4}$ cents per head in 1893 to $1\frac{3}{4}$ cents per head in 1894.

MICROSCOPIC INSPECTION OF PORK.

The quantity of microscopically examined pork exported during the year was 35,437,937 pounds, as compared with 20,677,410 pounds in 1893. The trade has therefore very largely increased; and this has been due partly to the fact that American firms have had more time to establish their business in the countries which formerly prohibited our pork, but for the most part to the lower prices which have prevailed in the United States during the last year. The greater part of the microscopic inspection is conducted with samples taken from the carcass at the time of slaughter. A considerable quantity of pork has been inspected in the piece, however, after the meat had been cut and cured.

The expense of examining the samples from one piece of pork is as great as that of examining samples from a whole carcass, and frequently greater, on account of the meat being hardened in curing and more difficult to prepare for microscopic examination. It is, therefore, more economical and in every way preferable to examine samples from the carcass before this is cut if other conditions are the same.

It has been found in practice that there are sometimes occasions when it is necessary to examine in the piece, in order to enable the packing house to make a shipment of the required amount of cured pork within a limited time. There are also packing houses which have had so few orders for inspected pork from countries requiring this inspection that it has been found more economical to inspect the cured pork in the piece when ordered than to inspect a great quantity of pork in the carcass, which might never be demanded for this trade.

During the year samples from 1,372,410 carcasses or pieces have been examined. The expense of this inspection has been diminished from $8\frac{3}{4}$ cents per carcass or per piece in 1893 to $6\frac{5}{9}$ cents in 1894—being a reduction of about 25 per cent in the cost for a given amount of work.

The reduction in the cost of inspection as compared with the quantity of microscopically examined pork actually exported has been even more gratifying. During the fiscal year 1893 there was exported 20,677,410 pounds of inspected pork, and the cost of the inspection amounted to $172,367.08 or 0.833 cent for each pound exported. For the fiscal year 1894 the quantity exported was increased to 35,437,937 pounds and the cost of inspection reduced to $88,932.10 or 0.248 cent for each pound exported.

A similar statement concerning the first and second halves of the last fiscal year shows that this reduction in the cost of microscopic inspection, compared with the quantity actually exported, was progressive throughout the year, and reached a lower limit than is indicated above. That is, from July 1, 1893, to December 31, 1893, the quantity of inspected pork exported was 12,618,706 pounds, and the expense of the microscopic inspection was $53,433.68, or 0.423 cent for each pound exported; while from January 1, 1894, to June 30, 1894, the quantity of inspected pork exported was 22,819,231 pounds, and the cost of inspection was $35,488.42, or 0.155 cent for each pound exported.

INSPECTION OF EXPORT ANIMALS.

In the inspection of animals for export 725,243 head of cattle were inspected, as compared with 611,542 for the preceding fiscal year. The number of cattle exported to Europe was 363,535 for 1894 and 294,002 for 1893, an increase of 69,533, or more than 25 per cent. There have also been exported during the year to Europe 85,809 head of sheep. All of these animals were inspected and their healthfulness certified to by the inspectors of this Bureau, and the cattle were all tagged with numbers for identification, and their origin recorded.

Of the cattle exported, 184 were rejected, as compared with 292 rejected during the year 1893.

VESSEL INSPECTION.

The vessels carrying the exported cattle and sheep were all inspected by the officers of this Bureau, in accordance with the act of Congress approved March 3, 1891, in order to secure sufficient ventilation, an adequate supply of food and drinking water, competent attendants, fittings sufficiently strong to avoid unnecessary danger of washing over-

board, and enough space for the animals to stand in with comfort. The regulations adopted in 1891 are still in force, but they have been amended from time to time and the condition of the cattle in transit has been continually improved.

This improvement is shown by the marked decrease in the proportion of cattle lost at sea. The loss for each year since the regulations went into effect was as follows: 1891, 1.6 per cent; 1892, 0.875 per cent; 1893, 0.47 per cent, and in 1894, 0.37 per cent.

The loss of sheep has been much heavier. Of the 80,898 exported and shipments inspected in Great Britain during the fiscal year, 1,050 were lost at sea. This is 1.29 per cent, and it indicates that more stringent regulations must be enforced to secure the humane treatment of these animals on shipboard.

STOCK YARDS INSPECTION.

An inspection at a number of the important stock yards of the country is maintained for the purpose of inspecting and tagging export cattle as near to their place of origin as possible. After being tagged and recorded, there is a supervision of the shipments in order to prevent infection of any kind on their way to the seaboard.

One of the greatest dangers during the summer months has been infected pens in the stock yards, or infected alleys, streets, or cars which have been contaminated by cattle from the Southern fever district. The cattle from this district, though apparently healthy, may so thoroughly infect the avenues through which they pass that these will be deadly for other cattle during the remainder of the season. This infection results as a consequence of adult ticks dropping from the cattle. These ticks lay about 2,000 eggs each, from which the young hatch in due time. It is these young ticks which get upon susceptible cattle and produce disease, as was shown in the special report of this Bureau on Texas or Southern cattle fever.

It has therefore been found necessary to set apart separate pens and alleys for these Southern cattle, and to disinfect the cars in which they have been shipped. To secure the enforcement of these regulations constant supervision and inspection must be maintained, for otherwise infected cattle would be allowed to enter the pens in which export cattle were handled, and this would do away with any possible chance of guarding against the infection. It is almost impossible, in the present state of our knowledge, to satisfactorily disinfect cattle pens which have once been thoroughly infected with this disease. Nothing but the freezing of winter can be relied upon to accomplish this. Infected pens are, consequently, a source of danger until after a succeeding winter has purified them.

The stock yards inspection is designed to guard against the Southern fever infection, but it also embraces the inspection and tagging of export animals, and the inspection of the vessels which carry them. These different lines of inspection are so closely allied that they can not be separated without detriment to the service and increased expenditures. It should be borne in mind, however, that the entire expense of the stock yards inspection is not for the benefit of the export trade, but that the cattle which are to remain in this country, more particularly the "feeders," are also protected.

The losses from the Southern or Texas fever have been almost entirely prevented by this inspection, and cattle may now be moved through our largest stock yards without danger, while before it was inaugurated a large part of the cattle so handled became infected.

This inspection, as it only continues during the spring, summer, and fall months, is reported for the calendar instead of the fiscal year. In the quarantine season, extending from February 15 to December 1, 1893, there were inspected and placed in the quarantine pens 1,737,380 head of cattle. In addition to this, the inspectors had 56,406 cars cleaned and disinfected under their supervision, and inspected 20,075 car loads of infected cattle which were en route for places beyond their jurisdiction.

INSPECTION IN GREAT BRITAIN OF ANIMALS FROM THE UNITED STATES.

This inspection has been continued during the year by two inspectors, one being stationed at London and the other at Liverpool. The object of this inspection is to learn the condition in which animals arrive, the extent of the losses at sea, the diseases with which animals in transit are affected or from which they die, the adequacy of the ventilation and fittings of the vessels for the safe transportation of their living freight.

This information can only be obtained from the representatives of this Bureau, who examine the animals both before and after they are unloaded from the ships. By means of this information improvements have been made by which the losses at sea have been reduced from 1.6 per cent the first year of the service to 0.37 per cent during the last fiscal year. This means a saving of 4,470 head of cattle on the exports of the last year. How much was saved by the regulations of the first year over the unregulated trade we have no data from which to determine, but it probably was a still larger number.

The British restrictions have not yet been removed from our cattle trade, but with the continued freedom of the United States from pleuro-pneumonia and other contagious diseases dangerous to the stock interests of that country, it is probable that reasonable modifications will be made.

The entire expense of the stock yards, vessel, and export animals inspection for the year was $96,617.44. At least half of this expense is for the prevention of Texas fever in this country, and should not be charged against the export inspection. This would give an expenditure of about $10\frac{3}{4}$ cents for each animal exported. Considering that this covers the tagging of every animal, and two inspections in the United States and one in Great Britain for the greater part of them, as well as inspection of the ships and supervision of the loading, it is seen that the service is very economically performed.

Following this estimate to its legitimate conclusion, we find that the $48,308.72 which we estimate was expended in inspecting and quarantining 1,737,380 head of cattle from the district infected with Southern or Texas fever, makes the cost of inspection 2.7 cents per animal, with no allowance for the disinfection of 56,406 cars.

INSPECTION AND QUARANTINE OF IMPORTED ANIMALS.

The number of animals imported from Europe inspected and quarantined on arrival was 11 head of cattle, 565 sheep, 43 hogs, and 4 goats quarantined at Garfield, N. J., and 1 head of cattle and 179 sheep quarantined at Patapsco, Md. In addition, 3 head of cattle imported from Canada were quarantined at Buffalo, N. Y. This makes a total of 806 imported animals that were quarantined during the year.

Under the provisions of the act of Congress approved August 30, 1890, requiring the inspection of all cattle, sheep, and hogs imported

into the United States from foreign countries, there were inspected as imported from Canada 194 head of cattle, 240,497 sheep, 1,302 hogs, and 2 goats.

SCIENTIFIC INVESTIGATIONS.

In the scientific work of the Bureau very important investigations have been made concerning the prevention of Southern cattle fever and in regard to the causation, nature, and prevention of tuberculosis and other diseases of animals.

Outbreaks of disease have been investigated in various parts of the country to determine if they were dangerous to the live stock of other States. Important investigations in the treatment of hog cholera have been made which have given very promising results.

Large quantities of tuberculin and mallein have been made in the laboratory of the Bureau and distributed to State authorities, State experiment stations, and educational institutions, as a means of determining the existence of tuberculosis in milch cows and of glanders in horses.

During the fiscal year ended June 30, 1894, there has been sent out tuberculin sufficient for 5,500 injections and mallein for 1,000 injections. The largest amount has been sent since January 1, 1894. It is now being used at the rate of 2,000 injections per month, with applications on file for as much as 1,000 injections per week from one State alone. Supplies have been sent on the application of the proper authorities to 33 different States.

PUBLICATIONS.

There have been published during the year the following reports and bulletins:

Eighth and Ninth Annual Reports of the Bureau of Animal Industry for the years 1891 and 1892. Published by order of Congress.

Bulletin No. 3. Miscellaneous Investigations Concerning Infectious and Parasitic Diseases of Domesticated Animals.

Bulletin No. 4. A Revision of the Adult Cestodes of Cattle, Sheep, and Allied Animals.

Bulletin No. 5. Report of the Dairy Industry of Denmark.

Bulletin No. 6. Additional Investigations Concerning Infectious Swine Diseases.

APPROPRIATION AND EXPENDITURE.

The appropriation for the year was $850,000 and the expenditures $495,429.24, leaving an unexpended balance of $354,570.76 to be turned into the Treasury.

REMARKS ON THE CONDITION OF THE SERVICE, AND RECOMMENDATIONS FOR THE CURRENT YEAR.

The meat inspection of the Bureau has not yet been developed and extended as contemplated in the law under which it was established. There are many large abattoirs which kill for interstate or foreign trade, and even some cities doing a large business of this character which have no inspection. It is really illegal for meat from such abattoirs to be shipped from one State to another, but if the operators of such establishments are unable to obtain inspection the Department would hardly be justified in stopping the marketing of their products.

The chief difficulty in rapidly extending the inspection is the failure to obtain a sufficient number of competent inspectors. The inspectors and assistant inspectors have been placed in the classified service; they are required to be graduates of a recognized veterinary college and to pass an examination held by the Civil Service Commission to test their competency. In the first examination only three passed out of over thirty candidates. That the examinations are not too difficult is shown by the fact that the lowest of the three eligibles is plainly demonstrated by his papers to be unfit for an inspector.

I believe that the reason so few competent men take the examination is that the salary of $1,200 for an assistant inspector and $1,400 for the majority of the inspectors is too low, considering the requirements and the nature of the work. Every inspector should have a good general education and thorough professional training. He should, in addition, be required to give up all private practice and devote his entire time to the work of the Bureau.

Meat inspection is very arduous work if properly performed. It requires long and irregular hours, constant attention, careful and thorough examination of the meat, and it must be performed in a damp place and in an atmosphere filled with steam, which is unpleasant in summer, and both unpleasant and unhealthy in winter. It apparently requires more inducement to secure competent men for this work than is now offered, and I would therefore recommend that the salary of assistant inspector be raised to $1,400, and that the lowest salary for inspector be fixed at $1,600.

With this change I believe that a sufficient number of competent inspectors might be obtained during the year to make it possible to establish inspection at all of the large abattoirs, and thus avoid charges of injustice and favoritism, and at the same time prevent the shipment of uninspected meat from one State into another. At present some of the inspectors at important places are young, inexperienced in business methods, and professionally incompetent, and should be replaced at the earliest possible moment with competent men.

REGULATIONS FOR SECURING THE DESTRUCTION OF CARCASSES UNFIT FOR FOOD.

The meat-inspection law as it now stands contemplates the destruction of condemned carcasses under the direction of the State or municipal authorities. This is a serious imperfection, and unless it is corrected the meat-inspection service can not accomplish the results expected of it.

In most places there are no local inspectors to cooperate for this purpose. There are in nearly every city more small slaughter houses where animals are killed exclusively for local consumption than can possibly be inspected by the local inspectors. As a consequence, the Federal inspectors are expected to see that meat unfit for food is not used for that purpose.

The only way to be certain that unwholesome meat is not used for food either locally or through the interstate trade is to see at once that every piece discovered is destroyed. If it is left for a local inspector to condemn, or if the packing house is allowed to dispose of it with the understanding that it is not to go into the interstate or foreign trade, there is no certainty that it will not be canned or shipped in some other form. Many of the people engaged in the meat-packing business have shown themselves to be unscrupulous; and, as it is impossible with any force at our command to watch every part of any great packing house

at all hours of the day and night, it is plain that nothing less than the prompt seizure and destruction of unwholesome meat will protect the consumer.

A bill has passed the House of Representatives and is now pending in the Senate which will, if it becomes a law, give the Secretary of Agriculture power to make the necessary regulations for the proper disposal of diseased carcasses. I recommend that its early passage should be urged. When we consider that 4,127 carcasses of beef were condemned during the past year as unfit for food, the importance of early action is manifest.

INSPECTION OF IMPORTED HORSES.

There is at present no veterinary inspection of horses imported into the United States. The law requiring the inspection of other species of animals was doubtless intended as a protection for the food supply of the country, and the matter of guarding against the contagious diseases of horses was not considered.

It is nevertheless certain that an inspection is needed in order to prevent the introduction of various kinds of contagion with imported horses. The disease known as maladie du coït was introduced and has been repressed at considerable expense to the Federal Government, and has also been the cause of much anxiety and expense in some of the States.

Glanders may also be introduced with imported horses, and no doubt has been so introduced in many instances.

I recommend that this needed inspection should be again brought to the attention of Congress, in order that, if deemed best, the Department should be given the necessary authority.

ADDITIONAL REGULATIONS NEEDED CONCERNING IMPORTATION OF CATTLE FROM MEXICO.

Renewed importations of cattle from Mexico make it imperative that the regulations concerning the importations of cattle should be so modified as to bring them into harmony with the act of August 30, 1890. This act provides for the inspection of all cattle imported into the United States, and prohibits the importation of any animals of this class which are infected or have been exposed to infection so as to be dangerous to the animals of this country.

There can be no question as to the prolongation of the Texas-fever districts into Mexico covering the sections adjacent to the Gulf and Pacific coasts. Just what the extent of these infected districts may be it is impossible in the absence of detailed investigation to determine. It is plain, however, that, as the Government of Mexico has not investigated the subject and outlined these districts, this Government can not decide what sections of that country are infected and what sections are free from infection.

In the United States the Texas-fever district is defined by the regulations of the Secretary of Agriculture concerning cattle transportation. Cattle from this district are allowed to be shipped to other sections of the country for immediate slaughter only during the season of the year when the disease may be communicated. The cattle raisers of this great district are entirely shut off from the northwestern market for grazing or range cattle.

During the last few weeks large numbers of Mexican cattle have been imported to be sold for grazing purposes in the Northwest. These

cattle come without having been subject to any regulations in the country of their origin to determine whether they are infected or free from infection, and they have been going into a market from which a large part of the Texas cattle are excluded.

Imported Mexican cattle are required to be held for inspection as provided in the law, but inspection of large herds of these wild cattle can not be thorough and should not be relied upon to prevent the introduction of disease. It is my opinion that, until the Mexican authorities define the Texas-fever district, and provide competent inspectors to certify that the cattle coming from that country are free from infection, all Mexican cattle should be treated as infected.

This certainly is the only safe plan to adopt, because owing to the low price of Mexican cattle the speculators will not confine themselves to purchasing from the elevated sections, which are presumably free from infection, but will extend their operations into the lower and more dangerous regions. It would therefore be but a short time until the range country and the grazing States would be overrun with these cheap cattle, carrying the Texas-fever infection with them and causing such outbreaks of disease as we have not had for many years.

If the cattle from the infected district in the United States are only allowed to go to market for immediate slaughter, equally rigid restrictions should be applied to infected cattle from Mexico, and as there is no way of determining which are infected and which are not, all cattle from that country should be regarded as infected. Regulations to this effect would, however, entirely prohibit the importation of Mexican cattle, because they are not fit for immediate slaughter and would not be imported for that purpose; and also because the statutes prohibit the importation of infected cattle.

It seems clear that under the law Mexican cattle should be declared infected from February 15 to December 1, which is the period that the Texas-fever regulations are applied to the cattle of the United States; and I would recommend that such regulations be at once adopted.

It has been stated by Arizona cattlemen that large numbers of their cattle stray across the border into Mexico and that likewise large numbers of Mexican cattle stray into Arizona. Some of these men represent that it would require 15 inspectors to inspect such stray cattle as are being returned at this season of the year.

The probability is that such an inspection is not necessary as a protection against disease, since the cattle would not stray far enough to reach the infected districts. I have therefore provisionally discontinued such inspection, as there were not enough inspectors available to promptly inspect all of the cattle that were to be returned.

It appears to me, however, that there is a great opportunity offered by this practice of returning large numbers of stray cattle for defrauding the revenues of the Government. An inspection would probably be a great protection against such frauds, and the matter is therefore submitted for consideration, but without recommendation, as the matter of revenues has no connection with the duties of this Bureau.

THE WORK IN REGARD TO TUBERCULOSIS.

The testing of cows with tuberculin in the District of Columbia is now in progress, but has been commenced in a small way in order to develop a satisfactory plan of operations. About 125 cows have been tested, and 20 per cent of these were found to be affected.

I would now recommend a larger force and more vigorous operations. With the present force and facilities, but a few thousand dollars can

be used during the year out of the $100,000 appropriated for this purpose. With twice as many men and better facilities for getting over the ground several times as much work can be accomplished.

As tuberculous cows are taken out of the dairies new animals must be put into their places, and it is desirable that these should be tested before they are allowed to enter the stables which have been disinfected and freed from disease. To do this at present the herd inspection must be interrupted, and as the number of inspected herds increases, the interruptions will be more frequent, until the herd inspection will be entirely stopped. It is important, therefore, that men should be stationed at the stock yards to test all cows that are brought into the District. This will prevent the further introduction of the disease, and will enable us to keep free from it the herds which have already been inspected.

This work in the District is of great importance, not only as a preventive of disease among the consumers of meat and milk, and to guard against the spread of tuberculosis from the District into adjoining States as required by law, but as an experiment to determine various questions relating to the prevalence, recognition, and prevention of tuberculosis as affecting dairy stock. The scientific results of this work are therefore of great value to the whole country, while the practical work is of benefit to only a small section. These scientific results are urgently needed in order that the various States may formulate proper measures for protecting their citizens, and for that reason, if no other, the work should be pressed to early completion.

Under any circumstances only a small part of the amount appropriated can be expended during this fiscal year, as one-third of the year has already elapsed. More rapid work also means more thorough work. There is less opportunity to shift diseased cows from the uninspected to the inspected dairies, and the first inspection should be completed before a second one is necessary.

Detailed recommendations as to requirements will be made from time to time as occasion demands.

EXTENSION OF THE BUREAU WORK.

The work of the Bureau of Animal Industry is now confined almost entirely to animal diseases. The meat inspection, the export-cattle inspection, the stock yard inspection, the import-cattle inspection, the tuberculosis work, the scientific investigations, all relate to diseases. The law, however, contemplates that there should be investigations in regard to the condition of the animal industries, with the distribution of information calculated to improve them and render them more profitable.

The dairy industry should receive immediate attention, and efforts should be made to improve its condition by collecting and distributing information on the subject, and in that manner educating our dairymen. The results obtained by Canada in this direction are very interesting and instructive. It is not many years since cheese from the United States was preferred in the London markets to Canadian cheese, and brought a higher price. The Canadian Government, however, began a systematic effort to educate the dairymen of that country. Printed information was distributed; practical men were sent to demonstrate improved methods, and the importance of making a higher grade of products was constantly taught.

The results of these systematic and persistent efforts have wrought such great improvement that Canadian cheese is now preferred in the London markets to that from the United States. The Canadians have enlarged their foreign market and secured better prices for their products.

No one can doubt the importance of improved dairy methods in the United States. They are needed to secure better prices at home, and to retain and recover the foreign markets. Our dairymen need persistent and authoritative instruction as to the advantage and profit to them of breeding better cows; of feeding the best combinations of food; of handling their milk, butter, and cheese according to the most improved and scientific methods.

The beef cattle industry, the sheep industry, the swine industry, the poultry industry are equally in need of assistance of the same nature. The law authorizes the collection and dissemination of information for the benefit of all of the animal industries, and it appears to me that the time has come when an effort should be made in this direction.

In considering this question in the past it has always been thought necessary to establish a dairy division, a poultry division, and in general a division for each branch of work. Having recently given some thought to this subject, I am of the opinion that a competent man could be selected who would be able to cover all of these additional subjects. I feel certain that for $2,500 per annum it would be possible to secure a man who could do creditable work in all of these fields. He should be not only versed in the subjects mentioned, but he should be accustomed to preparing and editing reports. Such a man, with one or two clerks, would be able to inaugurate this much needed line of work, and besides could assist in preparing the Bureau reports for publication.

I would recommend that an appointment of this character be made at an early day, as in my judgment the development of the Bureau has been one-sided and abnormal considering the breadth of the organic act. Operations are in progress in all directions for preventing disease, and for guarding against the consumption of diseased meats, but very little is being done in other ways to assist those great industries, the interests of which, so far as the Federal Government is concerned, are committed to this Bureau.

APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1896.

I would recommend that the sum of $800,000 be placed in the estimates for the salaries and expenses of this Bureau for the next fiscal year, and $12,000 for the maintenance of the quarantine stations for neat cattle. These sums are the same as were appropriated for the current fiscal year, and will, I think, be ample.

UNITED STATES CATTLE QUARANTINE.

The superintendents of the various cattle quarantine stations report the names of the importers and the number and breed of each lot of animals imported during the years 1891, 1892, 1893, and 1894, as follows:

FOR THE PORT OF BOSTON, LOCATED AT LITTLETON, MASS.

Date of arrival.	Importer.	Address.	Port of shipment.	No. of animals.	Breed.
	Year ending December 31, 1891.				
Jan. 2	Henry G. S. Codd	Westfield, Iowa	Bristol, England	7	Dorset Horn sheep.
Feb. 1	C. S. Bingham	Vernon, Mich	Liverpool, England	58	Shropshire sheep.
Apr. 20	Hon. E. Burnett	Southboro, Mass	London, England	15	Guernsey cattle.
Do	do	do	do	4	Jersey cattle.
Do	do	do	do	19	Hampshire Down sheep.
Do	do	do	do	11	Southdown sheep.
Do	do	do	do	2	Berkshire swine.
Do	do	do	do	7	Yorkshire White swine.
Do	do	do	do	2	Tamworth swine.
May 21	Asa Peck	Providence, R. I	Liverpool, England	20	Hampshire Down sheep.
Do	do	do	do	5	Leicester sheep.
June 1	Geo. E. Jones	Litchfield, Conn	London, England	109	Dorset Horn sheep.
July 16	Jno. S. Goodwin	Chicago, Ill	Liverpool, England	1	Aberdeen Angus cattle.
July 29	Jno. H. Warren	Hoosac Falls, N. Y	do	1	Southdown sheep.
Aug. 15	Arthur Mathews	Ontario, Canada	do	4	Goats.
Do	do	do	do	10	Do.
Aug. 27	Asa Peck	Providence, R. I	do	1	Leicester sheep.
Sept. 5	Geo. E. Jones	Litchfield, Conn	London, England	88	Dorset Horn sheep.
Oct. 17	T. O. Chapman	Milwaukee, Wis	Liverpool, England	3	Do.
Do	do	do	do	3	Shropshire sheep.
	Total			370	
	Year ending December 31, 1894.				
Nov. 15	J. Hobart Warren	Hoosac Falls, N. Y	Liverpool, England	6	Southdown sheep.
Dec. 5	M. B. I. Goddard	East Greenwich, R. I	do	6	Do.
	Total			12	

No animals received at this station for the years ending December 31, 1892, and 1893.

FOR THE PORT OF NEW YORK, LOCATED AT GARFIELD, N. J.

	Year ending December 31, 1891.				
Feb. 2	Jas. Wickwar	Lower Sydenham, England	London, England	2	Shorthorn cattle.
Apr. 28	Austin Corbin	New York, N. Y	Dundee, Scotland	13	Aberdeen Angus cattle.
May 18	Wills A. Seward	Budds Lake, N. J	Bristol, England	7	Berkshire swine.
May 26	S. R. Bradley	Nyack, N. Y	London, England	4	Guernsey cattle.
Do	do	do	do	7	Merino sheep.

FOR THE PORT OF NEW YORK, LOCATED AT GARFIELD, N. J.—Continued.

Date of arrival.	Importer.	Address.	Port of shipment.	No. of animals.	Breed.
	Year ending December 31, 1891—Cont'd.				
June 18	W. A. Shafor	Middletown, Ohio	Liverpool, England	188	Oxford Down sheep.
Do	do	do	do	12	Hampshire Down sheep.
July 15	Henry Hilton	New York, N. Y	do	1	Southdown sheep.
July 29	John L. Thompson & Sons	Marion, Ind	do	291	Shropshire sheep.
Do	do	do	do	10	Hampshire Down sheep.
Do	do	do	do	8	Oxford Down sheep.
Do	J. Keenan	Le Roy, Ill	do	103	Shropshire sheep.
Do	do	do	do	19	Oxford Down sheep.
Do	Blake Bros	Concord, Mich	do	199	Shropshire sheep.
Do	L. S. Dunham	Galesburg, Mich	do	45	Do.
Aug. 19	N. B. Proal	New York, N. Y	do	22	Southdown sheep.
Sept. 9	J. M. Work	Bardolph, Ill	do	59	Shropshire sheep.
Sept. 30	Thos. Wyckoff	Davisburg, Mich	Hamburg, Germany	23	Rambouillet sheep.
Oct. 2	C. B. Dustin	Summer Hill, Ill	Glasgow, Scotland	11	Shorthorn cattle.
Oct. 16	R. J. W. Bristow	Captain steamship Persian Monarch	London, England	8	Highland sheep.
Do	do	do	do	2	Shetland sheep.
Nov. 11	Daniel Taylor	Bay City, Mich	Liverpool, England	42	Shropshire sheep.
Do	W. C. Edwards	Ontario, Canada	do	20	Do.
Do	do	do	do	1	Berkshire boar.
Dec. 3	Robt. Hoe	New York, N. Y	London, England	1	Do.
Dec. 18	Geo. Lough	Cooperstown, N. Y	Liverpool, England	1	Cheviot sheep.
Dec. 30	Edw. Norton	Farmington, Conn	do	20	Guernsey cattle.
	Total			1,119	
	Year ending December 31, 1892.				
Apr. 19	Hon. Thos. Wyckoff	Davisburg, Mich	Havre, France	2	Rambouillet sheep.
May 25	S. C. Wilmans	San Francisco, Cal	do	30	Do.
June 10	Hon. T. Beale	Washington, D. C	Via London, England	17	Persian Fat-tailed sheep.
June 22	Aug. Belmont & Co	New York, N. Y	Havre, France	1	Normandy cow.
July 20	L. S. Roth	Buffalo, N. Y	Bremen, Germany	1	Buffalo cow.
Aug. 3	Francis Shaw	Wayland, Mass	Liverpool, England	11	Guernsey cattle.
Oct. 18	Dr. W. A. Conklin	New York, N. Y	do	1	Camel.
Nov. 17	Col. T. R. Roberts	Detroit, Mich	London, England	8	Red-polled cattle.
Dec. 14	Jas. S. Snell	Marshall, Mich	Liverpool, England	30	Shropshire sheep.
Do	do	do	do	20	Hampshire Down sheep.
Do	L. B. Harris	Lyndonville, Vt	do	14	Shropshire sheep.
Dec. 31	J. W. Martin	Richland City, Wis	do	12	Red-polled cattle.
	Total			147	

Year ending December 31, 1893.

Jan. 5	Thos. W. Wyckoff	Davisburg, Mich	Hamburg, Germany	2	Rambouillet sheep.
Jan. 10	Geo. Lough	Hartwick, N. Y	Liverpool, England	1	Cheviot sheep.
Feb. 7	T. S. Cooper	Coopersburg, Pa	London, England	163	Dorset Horn sheep.
Do	do	do	do	2	Berkshire swine.
Feb. 14	T. N. Vail	Loudon Center, Vt	Liverpool, England	32	Shropshire sheep.
Feb. 17	Chas. H. Hutchinson	White Pigeon, Mich	do	56	Do.
Mar. 22	R. A. Sibley	Rochester, N. Y	do	1	Jersey cow.
Do	Francis Shaw	Boston, Mass	do	7	Guernsey cattle.
Do	F. S. Peer	Mount Morris, N. Y	do	2	Devon cattle.
Mar. 26	W. G. Markham	Avon, N. Y	Hamburg, Germany	25	Rambouillet sheep.
Apr. 7	Dr. W. A. Conklin	New York, N. Y	Liverpool, England	2	Zebu bulls.
Do	do	do	do	4	Egyptian sheep.
Do	do	do	do	2	Italian goats.
Do	do	do	do	1	German goat.
Do	do	do	do	1	German sow.
Do	do	do	do	1	English boar.
Do	do	do	do	3	Russian swine.
Apr. 19	Dr. G. H. Davidson	Millbrook, N. Y	do	68	Shropshire sheep.
Do	do	do	do	1	Berkshire swine.
Apr. 26	H. H. Clough	Elyria, Ohio	do	4	Hereford cattle.
May 6	C. H. Otten	Bellasylva, Pa	Bremen, Germany	5	Sheep.
May 24	Jno. S. Goodwin	Chicago, Ill	Liverpool, England	3	Aberdeen Angus cattle.
June 21	Oakleigh Thorne	Millbrook, N. Y	do	127	Shropshire sheep.
Do	T. S. Cooper	Coopersburg, Pa	do	183	Dorset Horn sheep.
Do	Jas. F. Sutton	New York, N. Y	Bordeaux, France	23	Normandy cattle.
June 28	Fred P. Earl	Kalispel, Mont	Liverpool, England	9	Hampshire Down sheep.
July 6	J. A. Morris	Westchester, N. Y	do	2	Southdown sheep.
July 12	W. A. Shafor	Middletown, Ohio	do	190	Oxord Down sheep.
Do	do	do	do	38	Hampshire Down sheep.
Do	do	do	do	27	Shropshire sheep.
Do	do	do	do	19	Dorset Horr sheep.
Do	do	do	do	4	Southdown sheep.
Do	do	do	do	2	Cheviot sheep.
Do	do	do	do	4	Toggenburg goats.
July 19	Jno. L. Hays & Son	Mannington, W. Va	do	100	Shropshire sheep.
July 26	W. A. Shafor	Middletown, Ohio	do	1	Hampshire Down sheep.
Sept. 14	Metcalf Bros	East Elma, N. Y	do	1	Berkshire boar.
Sept. 20	W. Bayard Cutting	New York, N. Y	do	26	Shropshire sheep.
Oct. 26	Wills A. Seward	Budds Lake, N. J	London, England	2	Berkshire boars.
Nov. 7	A. J. Cassatt	Paoli, Pa	do	2	Guernsey cattle.
Nov. 25	Thos. Ainslee	Cooperstown, N. Y	Glasgow, Scotland	1	Cheviot sheep.
Dec. 7	John L. Hays & Son	Mannington, W. Va	Liverpool, England	132	Shropshire sheep.
Do	Chester W. Chapin	New York, N. Y	Antwerp, Belgium	7	Norman cattle.
Dec. 29	A. A. Thomson	Water street, N. Y	Swansea, Wales	2	Tamworth swine.
	Total			1,288	

FOR THE PORT OF NEW YORK, LOCATED AT GARFIELD, N. J.—Continued.

Date of arrival.	Importer.	Address.	Port of shipment.	No. of animals.	Breed.
	Year ending December 31, 1894.				
Apr. 19	Hon. Cassius M. Clay	Richmond, Ky	Liverpool, England	1	Southdown sheep.
Do	Metcalf Bros	East Elma, N. Y	do	38	Berkshire swine.
Apr. 25	V. T. Hills	Delaware, Ohio	do	2	Red-polled cattle.
May 23	W. G. Markham	Avon, N. Y	Hamburg, Germany	22	Rambouillet sheep.
May 29	J. A. Morris	Westchester, N. Y	Liverpool, England	2	Southdown sheep.
July 5	Paul T. Norton	Summerville, N. J	London, England	3	Berkshire swine.
July 26	Dr. Geo. H. Davidson	Millbrook, N. Y	Liverpool, England	22	Shropshire sheep.
Do	do	do	do	1	Hampshire Down sheep.
July 31	August Belmont	Newport, R. I	Bombay, India	9	India cattle.
Do	do	do	do	3	Moose deer.
Aug. 7	Metcalf Bros	Elma, N. Y	Liverpool, England	10	Berkshire swine.
Do	Ewing O. Craft	Heisterburg, Pa	do	9	Dorset Horn sheep.
Do	do	do	do	10	Hampshire Down sheep.
Do	Wm. Rockefeller	Tarrytown, N. Y	do	10	Southdown sheep.
Do	do	do	do	2	Shropshire sheep.
Aug. 22	Levi P. Morton	New York, N. Y	do	24	Guernsey cattle.
Do	J. Milton	Marshall, Mich	do	4	Hampshire Down sheep.
Oct. 1	H. K. McTwombly	Madison, N. J	do	17	Guernsey cattle.
Do	do	do	do	17	Southdown sheep.
Do	do	do	do	1	Jersey bull.
Oct. 3	C. B. Dustin	Summer Hill, Ill	do	3	Shorthorn cattle.
Oct. 11	Foote Bros	Medina, Ohio	do	1	Berkshire boar.
Oct. 31	T. S. Cooper	Coopersburg, Pa	do	55	Dorset Horn sheep.
Dec. 6	C. S. Hacker	Bakersfield, Cal	London, England	1	Jersey bull.
Dec. 19	Chas. Greer	Rye, N. Y	Hull, England	6	Southdown sheep.
	Total			273	

FOR THE PORT OF BALTIMORE, LOCATED AT ST. DENIS, MD.

	Year ending December 31, 1891.				
Apr. 30	Jas. L. Grant	Ingersoll, Canada	Liverpool, England	48	Tamworth swine.
Do	do	do	do	4	Yorkshire swine.
May 20	Alex. Brown & Co	Baltimore, Md	do	1	Shropshire sheep.
June 25	J. H. Paul	Lake Huron, Minn	do	200	Do.
Do	Henderson & Buchanan	Washington, Pa	do	13	Cotswold sheep.
Do	do	do	do	1	Shropshire sheep.
Do	do	do	do	67	Dorset Horn sheep.
Sept. 26	J. B. Niellson	Sinking Creek, Va	do	27	Shropshire sheep.
Do	Howard Swineford	Richmond, Va	do	25	Do.
	Total			386	

	Year ending December 31, 1892.				
Mar. 4	Hon. Jno. Stewart	Elburn, Ill	Liverpool, England	3	Ayrshire cattle.
Sept. 2	C. J. Baker	Baltimore, Md	Hamburg, Germany	2	Holstein cattle.
Sept. 7	Baltimore Park Commission	do	London, England	2	Southdown sheep.
Nov. 26	Sam'l C. Kent	West Grove, Pa	Liverpool, England	129	Dorset Horn sheep.
	Total			136	
	Year ending December 31, 1893.				
May 6	Metcalf Bros	East Elma, N. Y	Liverpool, England	16	Berkshire swine.
May 27	Henderson & Co	Washington, Pa	do	319	Dorset Horn sheep.
July 7	Dr. J. C. Morris	Philadelphia, Pa	Swansea, Wales	1	Devon bull.
July 9	Henderson & Co	Washington, Pa	Liverpool, England	154	Dorset Horn sheep.
Oct. 1	T. J. Other	Ripon, England	do	25	Wensleydale sheep.
	Total			515	

FOR THE PORT OF BUFFALO, N. Y.

	Year ending December 31, 1893.				
Apr. 8	J. J. Bushong	East Palestine, Ohio	Markham, Canada	2	Jersey cattle.
Do.	O. R. Jones	Wales, Me	do	2	Do.
	Total			4	
	Year ending December 31, 1894.				
Apr. 21	O. B. Fisher	Assumption, Ill	Thorndale, Canada	1	Shorthorn cow.
Apr. 10	N. Burnham	De Kalb, N. Y	Brockville, Canada	2	Jersey cattle.
July 5	Jas. D. E. Hay	Derby, N. Y	Thorndale, Canada	24	Holstein cattle.
Nov. 23	D. P. Norton	Council Grove, Kans	Bridgen, Canada	1	Shorthorn bull.
Nov. 25	B. C. Rumsey	Buffalo, N. Y	Cayuga, Canada	1	Do.
Nov. 25	A. P. Grout	Winchester, Ill	Montreal, Canada	15	Aberdeen Angus cattle.
	Total			44	

FOR THE PORT OF NEW ORLEANS, LA.

	Year ending December 31, 1892.				
Mar. 23	Pierre Lanaux	Bay St. Louis, Miss	Liverpool, England	1	Shropshire sheep.

PREVALENCE OF ANTHRAX AMONG DOMESTICATED ANIMALS.

OUTBREAKS IN THE UNITED STATES.

In the latter part of July, 1893, the attention of the live stock commissioners of Illinois was called to the prevalence of a disease which was rapidly carrying off the live stock of Edwards, Wayne, and Clay counties, in the southern part of that State. Dr. Trumbower, the State veterinarian, was directed to make an investigation for the purpose of determining the nature of the disease. He readily recognized it as anthrax, and suggested vigorous measures for its suppression. It was reported that up to August 10 following at least 500 head of cattle alone had been lost by it in the above-named counties. The disease was so widespread and fatal that this Department directed Dr. V. A. Norgaard, an inspector of the Bureau of Animal Industry, to visit the locality and make an investigation as to the cause of the outbreak and report the results of the same to this Department. The following is a copy of Dr. Norgaard's report, which was submitted in August, 1893:

HISTORY OF THE OUTBREAK IN ILLINOIS.

In Wayne County, Ill., the Little Wabash River winds through low, marshy, wooded lands, and the river bottom affords in hot, dry summers, when the water becomes very low, a splendid opportunity for the development of micro-organisms. Many acres of land which under ordinary conditions are under water become exposed, and all organic substances left behind by the sinking water decompose and thus furnish, exposed to the sun, a veritable hotbed for all the lowest classes of organisms which happen to be present. Every summer of late years a limited number of cattle have died in this neighborhood from a disease unknown to the layman, but which from the description given of the symptoms must have been anthrax. The farmers, not being aware of danger, left the dead animals lying around unburied to be eaten by buzzards and dogs. One case noted is very characteristic. One day a farmer found one of his largest working steers dead, though the animal had been apparently healthy a few hours previous. Being very busy he left the carcass lying there in the pasture for several days, and then hauled it over to a small meadow and buried it. The same day several other head of cattle were taken sick, showing swelling on the body or suddenly dropping dead. In this way he lost a number of cattle, fifteen or twenty, and perceiving the danger he burned the carcasses. The following winter he kept a number of sheep in the inclosure where he had buried the first steer. The rain caused the earth, which had been thrown loosely on the carcass, to sink, and a pool was formed from which the sheep drank. Consequently they all died.

The following year a large number of cattle died in the neighborhood, and some of the carcasses were thrown into the river. In that way the disease spread rapidly, until it acquired such dimensions as to cause the State authorities to take the matter in hand. The unusually long drought this summer has caused the river to fall back very low, so low, in fact, that in many places there are only stagnant pools left, and the result is that in Wayne and adjoining counties between 1,500 and 2,000 head of horses, cattle, sheep, and swine have perished from anthrax. Not until late in the season did the State authorities succeed in persuading a number of the farmers to destroy the carcasses of the dead animals by burning them; but many of them refused to do so, especially those who had lost all their live stock and therefore

concluded that there was nothing to be gained by cremating the carcasses. The State board of health, therefore, appointed a number of supervisors whose duty it was to keep track of all diseased and dead animals, and see that the latter were burned. It was also resolved to impose a fine of $100 on anyone who did not dispose of the carcasses in the prescribed manner.

As so many carcasses were left lying around, especially in the early part of the outbreak, there can be no doubt that, if next year proves to be favorable for the development of the spores, the disease will gain far greater dimensions than it has this year, and the country around the Little Wabash River will become an anthrax district where the disease will remain.

SYMPTOMS OF ANTHRAX IN THE HORSE.

The anthrax bacillus may be introduced into the body in three different ways: Either through the mouth and alimentary canal, through the respiratory organs, or through the outer surface of the body. The last case was most frequently seen in my investigation of the disease, but from the information I gathered the two other ways must have been as common, or even more so, during the first part of the outbreak, as horses and cattle both dropped dead almost instantly, without showing any symptoms of disease until a few minutes previous to their collapse.

When the infection takes place through the skin, it is in most cases, I believe, introduced by the sting of insects, especially the large horsefly (*Œstrus equi*[1]). This fly carries the bacillus from the carcasses of the animals which have died of anthrax, and simply inoculates it in the skin of live animals. From here the bacillus spreads rapidly to the subcutaneous tissues, where it multiplies rapidly and causes a hard, warm, painful swelling, with well-defined margins, which spreads rapidly over the surface. The superficial lymph vessels in the vicinity become hard and swollen. The infection is usually accompanied by fever, loss of appetite, and accelerated respiration. After a few days the swelling becomes cold and painless and may either be absorbed or the disease spread to the inner organs and prove fatal to the animal.

The most common point from which the infection started was the point of the breast, the lower part of the abdomen, and the flank. In the first case, at the point of the breast, the swelling would extend down between the forelegs, involve the upper part of these, and extend as far back as the sheath. Upward it would advance but slowly, perhaps not more than 4 or 5 inches from the point of inoculation. In most cases, when the disease took a favorable turn, this swelling would commence to decrease in from five to seven days, and in about two weeks the horse would recover. If the disease spread to the internal organs the symptoms would be the same as if the infection had originally taken place through the lungs. When there is no inclination to absorption, gangrene will set in by forming small, hard nodules the size of beans, which then are circumscribed and expelled. In no cases did I notice any extensive gangrene as observed in purpura. (Many of these horses with extended swelling had a most horrible look owing to the treatment recommended by the local veterinary surgeon—repeated applications of concentrated carbolic acid and turpentine, equal parts, which either caused gangrene of the skin or at least made the epidermis come off in large places.)

When the infection takes place through the alimentary canal or through the lungs, the first symptoms are a very high fever, a small but very rapid pulse, the visible mucous membranes cyanotic, in some cases symptoms of congestion of the brain, but in almost all cases symptoms of colic, with diarrhea often mixed with blood. The respiration is from 70 to 80 a minute. The region about the larnyx and pharynx is the seat of a considerable swelling, which may extend down toward the point of the breast. The mucous membrane in the larynx and pharynx becomes swollen, often to such an extent that the respiration becomes roaring, and may be followed by dyspnœa and suffocation. The mucous membrane is the seat of an extensive œdematous hemorrhagic infiltration.

The disease lasts usually from a few hours to two or three days. Recovery is very rare.

Post-mortem examination.—It proved very difficult to obtain material for post-mortem examinations, as all animals were burned immediately after death. I shall here describe the post-mortem held upon a horse which had been sick for two weeks. It was first externally affected with a large swelling in the left flank and inguinal region, which, however, had almost completely disappeared when the horse began to show symptoms of a general infection, with swelling around the larynx extending down along the trachea, roaring, accelerated respiration, and high fever. Death resulted four days later. The carcass was very bloated; blood-colored excretion from the nose; in left flank and inguinal region a slight diffuse swelling, which could

[1] Probably he refers to *Tabanus*.—C. W. S.

hardly have been perceived if not pointed out by the owner as the place where the disease started. The veins under the skin were expanded by dark, almost black, thick blood. In left inguinal region there was under the skin a diffuse sero-fibrinous infiltration in which was seen numerous patches and smaller hemorrhages. The abdominal cavity contained about 2 gallons of dark-red serous exudation. The peritoneum and that part of the mesentery which suspends the colon, and especially the cæcum, was the seat of immense blood extravasation. The mesenteric glands were œdematous and swollen to the size of a goose egg or more, and full of blood extravasations. The same was the case with most all of the lymphatic glands, particularly those along the trachea and in the mediastinum. The spleen was about double its normal size, of a dough-like consistency, and the pulp very dark. The liver was considerably enlarged, blood-filled, and the seat of a parenchymatous inflammation. The portal lymph glands swollen and infiltrated with blood. The kidneys were very dark and hyperæmic, considerably swollen, and of a soft consistency (parenchymatous inflammation). The mucous membrane in the small intestine was swollen and studded with small petechiæ, which increased in number and size toward the colon. The colon and the cæcum were the seat of a severe inflammation, with a diffuse, bloody extravasation, both in the subserous and in the submucous tissue, which made the wall of these intestines from one-half to three-fourths of an inch thick. Similar lesions were seen in the rectum. The contents of the intestines were of a thin, darkened fluid nature.

Around the pharynx and the larynx was a sero-fibrinous exudation, stained dark red by blood extravasations. This extended down along the trachea into the thoracic cavity, in the anterior part of which it formed an immense gelatinous mass resembling a blood clot, only more transparent, and completely surrounding the heart. The pericardium was thick and inflamed; it contained about a quart of a dark-red exudation. The lungs were dark red and hyperæmic, and the trachea and the bronchi contained a bloody froth. The mucous membrane in the larynx, especially on the epiglottis, was œdematously swollen and of a dark-red color.

In peracute or acute cases many of these symptoms may fail, as the animal dies from a congestion of the brain or from suffocation before they have time to develop.

ANTHRAX IN CATTLE.

In cattle the symptoms are pretty nearly the same, as far as could be ascertained by questioning the farmers. I did not have an opportunity of examining any fresh acute cases. There were, however, a number of cases of inoculation by means of insects, but these were not of a very serious nature, as the animals usually recovered in a week or two. This, however, must be credited to the attenuation of the virus, which is known always to take place at the end of the outbreak, and also to the fact that flies and other insects were much less numerous than in the earlier part of the season. Most of the swellings appeared on the flanks or the lower part of the body, but none had been noticed on the back or on the hind quarters. These swellings had all well-defined margins, and were of a solid, œdematous nature. On none of those which I examined did I see any symptoms of gangrene.

ANTHRAX IN SHEEP.

The disease had also been very common among sheep in the beginning of the outbreak, and a large number of these animals had succumbed. It had been very acute and fatal among this class, killing them almost instantly. I noticed a few cases, however, which had very large swellings around the lower jaw and the neck. The owner told me that they had been very sick for several days and unable to take any food, but that they were now apparently recovered. The mucous membrane in the mouth, especially the posterior part of the tongue, was dark and swollen. Many farmers who had lost horses and cattle from anthrax informed me that their sheep had been affected in the same way, viz, with the swelling around the neck, but that most of them had recovered.

ANTHRAX IN SWINE.

I had no opportunity of seeing it, although I was told that a number of hogs and pigs had died of anthrax. As I was very anxious to see the disease in swine I applied to the local veterinary surgeon to notify me as soon as he heard of any such cases. He soon afterwards told me that he had some pigs a few miles outside of town which were dying rapidly of anthrax. I went out at once and killed one of them, but the post-mortem showed only the lesions of hog cholera, and I am inclined to believe that most of the hogs which have died here this summer have perished from hog cholera, of which I saw a number of cases throughout the country. On several places, however, I saw hogs with swellings under the throat and on the abdomen, but I had no opportunity of investigating the cases further.

In most cases it was extremely difficult to convince the farmers that the investigations made were for their own benefit. I shall only mention one instance where I had heard of a horse being sick. The locality was about 9 miles from Fairfield. I hastened to the place and found the horse dead. The owner and a number of neighbors had piled three or four cords of timber on top of the carcass and set fire to it. I explained to these gentlemen the danger of the disease coming back next year, and how important it was to get fresh material by means of which the disease might be investigated and a remedy found for it. They finally consented to my making a post-mortem if I would myself put out the fire, take all the logs away, and afterwards put them all back again. But there will probably be ample opportunity of gathering fresh material next year, if the weather proves at all favorable to the disease.

Very respectfully, VICTOR A. NORGAARD.

The report of the board of live stock commissioners for the State of Illinois for the year ended October 31, 1893, refers to the outbreak of anthrax as follows:

On the 1st of August, 1893, a letter reached our office at Springfield, dated July 31, from Louisville, Clay County, written by Mr. J. F. Glardon, stating that "many cattle are dying here. Well in the morning and dead in the evening."

Another letter from the county clerk, Mr. William Brissenden, of Clay County, dated August 3, stated that "cattle are dying after a few hours' sickness, near Louisville."

Another letter from Ellery, Edwards County, written by John T. Woods, dated August 3; also a telegram from William Hopkins, of Albion, stated that "horses, cattle, and hogs are dying in great numbers in Edwards and Wayne counties."

All demanded an immediate investigation.

The secretary was instructed to telegraph Dr. M. R. Trumbower, the State veterinarian, to go at once to Albion, Edwards County, and investigate this disease among the animals. The dispatch was sent on the 3d, and Dr. Trumbower reached Albion on the 4th.

He went to Scotts Station, examined a number of sick animals, and interviewed people who had lost stock, readily obtaining sufficient evidence that this malady was truly the malignant type of anthrax.

Great excitement prevailed in the community, and it was necessary that some steps should be taken at once to inform the people how best to protect themselves against this scourge, and to check its ravages if possible.

Dr. Trumbower had the following circular published and caused it to be widely distributed:

TO ALL WHOM IT MAY CONCERN.

I have this day investigated the disease which has been afflicting the horses, mules, cattle, and hogs in the vicinity of Scotts Station, Wayne County, Ill.

It is a disease known as "malignant anthrax" or "charbon;" "malignant pustule" in man. Recoveries of affected animals are very rare, and it is not advisable to attempt medical treatment, for past experience throughout all ages and countries has shown that treatment has been of no avail.

The following rules for protection are absolutely necessary to control the malady:

(1) All animals that die with this disease should be immediately burned, not buried, for the reason that burial of such carcasses preserves the germ of the disease, as it has its primary residence in the soil.

(2) No dead animals should be skinned, or in any way handled by persons with sore, wounded, or scratched hands.

(3) Dogs and hogs should not be allowed near a dead animal, as they readily contract the disease by eating the blood or flesh.

(4) All animals—horses, mules, cattle, and hogs—should be removed from the infected region to upland pastures, clear of timber or stagnant pools of water. If this is not available, they should be closely housed in darkened stables to exclude the flies. Work horses and mules, when out of the stable, should be covered by a sheet from head to tail to protect them from the flies. Flies frequently are the carriers of the contagion from diseased or dead animals to healthy ones.

By a strict observation of these rules the disease may be controlled to a very great extent, possibly completely eradicated.

A public meeting is called to convene at 3 o'clock p. m. at Scotts Station, on Tuesday, August 8. All persons interested are requested to be present and meet the State board of live stock commissioners.

M. R. TRUMBOWER, *State Veterinarian.*

The meeting called by Dr. Trumbower for Scotts Station on the 8th was attended by several hundred stockmen and farmers from Wayne and Edwards counties. The full board of live stock commissioners, with their secretary, and Dr. Trumbower, the State veterinarian, were present. Mr. C. D. Bartlett, the president of the board, introduced Dr. Trumbower who addressed them, explaining the character of the disease, the measures necessary to adopt for checking its ravages, the reasons why this malady could not be stamped out at once; and he was called on to answer many questions. In the presence of this concourse of interested people, the live stock commission, and several medical men who were there, Dr. Trumbower then made a post-mortem examination of a colt, which the owner, Mr. Elmer Woods, allowed to be killed for the purpose. The diseased condition of this animal, as demonstrated by the doctor, proved to all conclusively that they were indeed smitten by a disease that had heretofore been strange to them.

Citizens from Fairfield, Wayne County, were present to invite the board to visit their town and instruct them what to do, as the disease had appeared at that place.

Dr. J. W. Scott, the secretary of the State board of health, had been requested to attend this meeting for the purpose that will be stated hereafter. Before leaving Scotts Station the following telegram was received from him:

SPRINGFIELD, ILL., *August 8, 1893.*

Your letter received too late to comply with your request. I recognize the gravity of the situation and we will cooperate with you to the fullest extent of the power of the board. See the local board and call their attention to provision of section 2, article 4, for the protection of public health, which defines their power. Will come later if you think necessary.

J. W. SCOTT, M. D.,
Secretary Board of Health.

Dr. M. R. TRUMBOWER,
Veterinary Surgeon.

In the evening the board met the city board of health of Albion, Edwards County, and they at once proceeded to institute measures to protect their meat and milk supply and recommend and enforce the proper disposal of all dead animals within their district.

On the 9th we all proceeded to Fairfield, met and consulted with a number of their medical men and prominent citizens. Dr. Trumbower was requested to make a post-mortem examination of a cow which died that morning in the edge of town. He acceded, and was able to demonstrate the specific character of the lesions induced by the disease in this animal.

From Fairfield the board went to Louisville, and met, in the office of the county clerk, many of the farmers and stockmen of that locality. Explanations and instructions were offered by Dr. Trumbower, and a general desire was manifested by all to take steps to at once combat the disease which was prevailing to an alarming extent in four townships of Clay County. The ravages of the disease and the alarm of the people were met alike at all places visited by the board.

For many reasons this board was almost powerless to afford aid; the want of money, men, the power of the law, all contributed toward making practical work impossible. Such measures as were set forth in the circular issued by Dr. Trumbower became imperative, but how to

enforce them at once became the question. Organization of some kind was demanded. Concerted action, with power to enforce necessary regulations, and proper persons to take charge constituted the needs of the hour. Quarantining the animals in the infected area could do only harm instead of good, as the disease is not communicated by contact of animal with animal. Disinfection was impossible; driving all the animals out of the infected district into uninfected sections was impracticable. So that all that was left for the board to do was to give advice how to proceed and rely upon the citizens of the infected districts to adopt it and act upon it. Looking upon this disease as a menace to public health, the board believed that the State board of health could materially aid it by lending its assistance in the organization of the local boards of health, ask, and, if necessary, compel them to carry out such measures as the combined boards might see fit to promulgate.

Eight persons became inoculated with this disease through skinning dead animals, two of whom were affected so severely that their lives were in the greatest danger, though they ultimately recovered.

Another series of meetings was called at which Dr. J. W. Scott, the secretary of the State board of health, was present. For these meetings invitations were sent by the county clerks to the supervisors, assessors, and town clerks of each township to be present, as these three officials of a township constitute a local board of health.

Dr. Scott, the commissioners, and Dr. Trumbower met these officials at Albion on the 15th, Fairfield and Louisville on the 16th, and McLeansboro, Hamilton County, on the 18th of August.

As a result of these meetings rules were adopted by the boards of supervisors of Wayne, Clay, and Hamilton counties and by the county commissioners of Edwards County, for the prevention of the disease, making it the duty of the local boards of health and the county health officer to enforce the said rules.

In their report for the year ended October 31, 1894, the live-stock commissioners state that occasional cases of anthrax occurred during the winter and spring. "It appeared in three counties, and destroyed over sixty head of horses and cattle."

Fearing a virulent outbreak during the hot, dry weather in August, 1894, the board issued a bulletin describing the symptoms of the disease and giving rules for preventing its spread, which was distributed through the counties formerly infected.

THE DISEASE IN DELAWARE.

In August, 1892, the attention of the officers of the Delaware College and Experimental Station was called to the prevalence of a mysterious disease which had caused the death, at short intervals, of a number of cows. Dr. Eves, a competent veterinarian, was directed to make an examination and determine, if possible, the nature of the disease and the cause of the outbreak. No previous losses had occurred on the farm where the disease first made its appearance, and no clew was given as to the cause of the outbreak. After a number of post-mortem examinations he pronounced the disease anthrax. The afflicted herd was pastured on a low-lying meadow, where several fatal cases had occurred in quick succession. The remaining cows were soon removed to high ground, where one or two animals died soon after. For several weeks after this no new cases were reported. Late in the fall the herd was again turned into the meadow pasture, where 2 additional cases soon developed. During the months of August, September, and October 10

cows and 1 horse were killed by the contagion on that farm. On another farm, about 1 mile distant, a cow died suddenly in the second week in August. The milk flow had practically ceased, and the hind quarters of the animal seemed partially paralyzed. It dropped dead and the carcass was thrown into a dry gully which had been washed out by heavy rains. Seven other cases occurred in that herd in about one week, and during the month of August 10 animals out of a herd of 30 were lost. These were the only cases that occurred in this herd. The location of the farm was on the highest land in that section of the State, and no connection, Dr. Eves states, between this herd and the one on the lowlands could have occurred.

During the second week in August several deaths occurred from the disease on a third farm. Being in close proximity to the second farm, which was located on high land, it was thought that drainage from this farm carried the contagion and caused the outbreak. On this farm cows giving a full flow of milk at sundown were found dead in the field at sunrise in the morning. There were 18 cows in this herd, out of which 8 deaths occurred. During the summer and fall the animals on ten farms were affected, and on these farms 40 cows and 9 horses were known to have died. The crisis seemed to have been reached in August, but isolated cases continued to occur in September and October. The farms on which the disease prevailed were all in the same neighborhood, but they did not in all cases adjoin each other. During the prevalence of the epidemic four cases of infection occurred among the owners of the animals as the result of either post-mortem cuts or other conditions. The fingers and wrists were the seats of the pustules. All of the cases recovered, but it was after a long and painful illness.

In the history of this outbreak, as given in Bulletin No. XX of the Delaware Experiment Station, the following statement is made in regard to the post-mortem examinations for the purpose of determining the nature of the disease:

POST-MORTEM EXAMINATIONS.

Three post-mortem examinations were carried out by Dr. Eves in August, 1892, before he would express himself; then he said: "Anthrax is the only disease which can, in my opinion, cause the appearances which these cases present."

Then Dr. Pearson, of the veterinary school of the University of Pennsylvania, was called in consultation. Numerous opportunities for post-mortem studies were available and were fully utilized. He confirmed Dr. Eves's diagnosis positively.

Meanwhile sections of various vital organs and blood from both horses and cows were sent to Dr. Ghrisky, a bacteriologist in the department of hygiene, University of Pennsylvania. His tests were thorough and his answer positive that the bacillus of anthrax was present in all specimens. Later Dr. Ghrisky made bacteriological cultures from the milk in the udder of an anthrax carcass. Dr. Kilborne, of the Department of Agriculture in Washington, duplicated this test personally from the same carcasses. Both confirmed the diagnosis of anthrax. Drs. Ghrisky, Pearson, and Eves secured a small amount of material from a malignant pustule on the wrist of a farmer; in this was demonstrated the bacillus of anthrax. This farmer had been poisoned while helping a neighbor in the work of opening and examining an anthrax carcass.

In May, 1893, Dr. Abbott, chief assistant in charge of the department of hygiene, University of Pennsylvania, detected the bacillus in a portion of the spleen of a bull found dead a day before on a farm upon which anthrax raged last season. He demonstrated the correctness of his work by causing death by anthrax in three cases, sheep being the test animals. Dr. Eves had previously diagnosed that anthrax caused the bull's death.

The above experts—two veterinarians and three bacteriologists—are the only ones to whom this particular study has been referred. They have worked independently of each other, were strangers to each other, and had no interest in any way in this matter except to demonstrate the truth. The fact that they unanimously and positively assert that this was an anthrax epidemic places the question above reasonable doubt.

As to the cause of this outbreak among the domestic animals of Delaware, two theories seem to prevail. There are those who place the responsibility on drovers, while another class asserts that the morocco tanners are responsible for the introduction of the disease. In the course of his report on the subject, Prof. Arthur T. Neal, director of the station, says:

CAUSE OF OUTBREAK.

It is known that anthrax has existed for several years in a neighboring county of Pennsylvania, and it is not impossible that an owner who was secretly suffering heavy losses might have been led to save what he could by the hasty sale of an apparently sound animal; for cows, milked at night, without indicating to the milker any noticeable change of condition, have been found dead on the field, anthrax victims, twelve hours later. The possibility that this may have been the way in which anthrax "plants" originated here is not denied, but this theory seems to lack breadth, for many cases of the disease occurred on one farm upon which no cows had been purchased for several years; with few exceptions all then in the herd had been raised by the owner. It is true that indications point to former unreported and unrecognized cases of anthrax in neighboring herds, but these cases have been published by men who wished to prove that anthrax is an old, well-known trouble under a new name, and is not to be dreaded as especially contagious.

The other theory is probable enough to warrant circulation as a warning to farmers that the contagion may have come to them from the city.

This theory is based upon a reliable written statement that the goatskins used by morocco makers are imported in a raw condition from South America, South Africa, China, Asia, and various countries of Europe.

The argument is that anthrax prevails in all of these countries, and that no police restrictions against the sales of anthrax skins exist anywhere except in Germany, possibly in France, and in one or two of the other more advanced European nations.

These imported goatskins are called "raw"; that is, they have been cured with salt, clay, dung, or have been sun dried; the hair still remains in place.

As already stated, if an animal dies of anthrax the blood remains fluid and exudes from all of the natural openings of the carcass. On exposure to the air the anthrax plant, hidden in this blood, dies within a day or two, but prior to death it goes to seed. The skin-curing processes above mentioned would have no effect upon said seed, but would simply put the skins in first-class condition as carriers of vital anthrax seed.

Farmers near Wilmington are reported to be impressed with the value of skin scraps and hair from the morocco factories. It is known that within two or three years it has been customary to haul such waste and to compost it on farms in the immediate neighborhood of those affected by the last epidemic. To make the argument complete, it is necessary to assume that at least one anthrax skin has come into Wilmington, and that scraps of it have been taken to one of the highest lying farms in the infected region. For, given moisture and heat, the anthrax seed can develop in certain soil, can be carried in drainage waters, and can cause the death of stock, either when said stock is pasturing on land over which the drainage flows or when it is obliged to drink water which has percolated through fields dressed with this skin compost.

VITALITY OF ANTHRAX SEED.

Referring to statements made on a previous page as to the vitality of anthrax "seed," or that form in which alone the disease could exist on imported goatskins, it will be seen that years might elapse after the infected skin scraps were used as a fertilizer before the anthrax might appear; for weather, rainfall, and temperature in particular govern this source of contagion. Heavy rains may wash the seed as deep into the soil as the water itself goes, to a depth where temperatures are always below the point at which this seed germinates; as long as they remain there they are, of course, harmless. If dry weather persists, however, the water is drawn up through good soil from a very considerable depth, is evaporated from its surface, and deposits thereby whatever it has brought up in it. Here in the surface soil the temperature conditions are changed and the seed may sprout at once and plants may multiply therefrom, or they may find their way into the animal body still in the form of seed, therein may germinate, and develop an epidemic.

This explains why a protracted drought followed by light rain is characterized as anthrax weather.

It may be regarded also as an explanation why skin-scrap manure applied to corn may give rise to its first anthrax epidemic years later when that field comes into use as pasture land.

As to the proper means of checking the contagion, Professor Neal says:

HOW TO CHECK THE CONTAGION.

(1) By avoiding manurial material from questionable sources and by shunning certain agents which may carry this disease.
(2) By insisting upon the proper disposal of all suspected carcasses.
(3) By following the Pasteur system of inoculation with an attenuated virus.

Enough has been written as to skin scrap and similar products from morocco works. Waste from wool which has been imported, either from certain parts of Australia or from any other infected land, may also be a cause of trouble. Long-continued heat at the boiling point of water, or, better, repeated heatings to the same degree at short intervals, will destroy everything which can cause anthrax. If such a process occurs in the treatment of wool wastes, then such wastes do not fall under the head of dangerous products.

A claim, however, that strange grasses and weeds grow where wool waste is used, supplemented by claims that the seed of these visible plants can be found in imported fleeces, should at all times awaken inquiry; for treatment which would certainly destroy anthrax "seed" would also destroy grass seed, and the proof that the latter survive is a strong evidence that the former, too, would probably escape.

Advice has more than once been given by this station that peat from lowlands, when thoroughly sun dried, is an excellent absorbent to use in dairy stables. Farmers who find dairying more profitable than grain raising are obliged to accept any available substitute for straw. Whenever anthrax is suspected peat and similar dried swamp litter must be shunned, particularly if it comes from lands subject to overflow from streams which run near tanneries, woolen mills, slaughterhouses, or bone-boiling establishments.

SUPPOSED SOURCES OF INFECTION.

As to other sources of infection, possibly the most dangerous is rough post-mortem work carried out without a due appreciation either of the sources of danger or of the absolutely necessary precautions. Until a better explanation is found, the belief will be strong that anthrax was carried last summer more than 1 mile on the boots or clothing of one farmer who helped a neighbor in the work of examining a carcass, for very soon thereafter one of his own cows died of anthrax and several head of both horses and cows were lost at intervals on his farm by this same disease. All intervening farms either escaped entirely for many weeks or lost cases which could be referred directly to contagion carried again by one who aided in post-mortem work.

The German laws are explicit on this point: Official veterinarians alone may examine anthrax carcasses, and in their work they must observe all prescribed precautions.

As a factor in spreading disease the buzzard holds an unknown position. The filthy habits of this bird arouse suspicions that it may be a leading cause of epidemics. The possibility that it can digest not only bacilli, but their seed as well, can not be denied. Experiments carried out with the cooperation of Dr. Leonard Pearson to determine whether spores of anthrax can be found in their excreta after they have access to anthrax carcasses are still in progress. Enough is known to warrant the advice that at the time of an epidemic all carrion likely to attract buzzards should be burned or buried, and the ground under buzzards' roosts should be regarded as possible points of contagion.

The above suggestions refer more especially to ways by which anthrax may be denied access to a herd or flock. After the disease has gained its entrance, then, without doubt, the proper thing to do is to burn the carcasses of victims, the straw which they may have defiled, and the soil and excrements near the body.

Eight railroad cross-ties and about one-half a cord of hard wood was found last August to be sufficient to completely burn a 1,400-pound horse without dismemberment. The time required was, approximately, five hours. All risk of polluting either the air, the soil, or the ground waters can thereby be avoided. Whenever cremation can not be practiced, then deep burial should be the next resort.

Preventive measures are now being made with the Pasteur vaccine virus at the Delaware College. Virus was imported direct from France, but the first experiments, which were on sheep, failed. The protected sheep, previously inoculated with the Pasteur fluids, promptly died when injected with small doses of virulent cultures prepared by Dr. Abbott, of the University of Pennsylvania. A second series of experiments is now in progress with a new virus prepared by Dr. Abbott, who is assisted by Dr. Pearson, of the same institution.

THE DISEASE IN EASTERN AND CENTRAL AFRICA.

In connection with the above, an article from a recent number of the London Morning Post will prove of interest, as it shows that this deadly disease has recently made its appearance among animals in eastern and central Africa, from which a large number of hides and other products of domesticated and wild animals are exported to Europe and to this country. The article is as follows:

The terrible disease which broke out about two years ago north of the equator and devastated the cattle herds of eastern and central Africa appears to have attracted little notice in this country. Its dimensions and disastrous effects might have entitled it to the attention of those interested in cattle disease, and the department of agriculture, when Mr. Chaplin was at its head, did take some measures to obtain information on the subject. The indifference with which the matter was regarded arose, doubtless, from the fact that there was no cattle trade between Africa and Europe, and that no channel, therefore, existed by which the contagion could be introduced to northern countries. This, however, is an assumption which goes too far. No cattle are imported from east Africa, it is true, but there is considerable importation of hides, and this being so, it would seem that there is a strong case for some action on the part of the Government to obtain reliable information on the nature of the disease which has been decimating not merely the cattle, but the game of eastern and central Africa, and to obtain satisfactory assurances—if such assurances are warranted—that the germs of the disease can not be imported by the hides. The plague, after devastating the equatorial regions, has reached Lake Nyassa in the south, and is evidently heading for the Cape.

PROBABLY CARRIED IN HIDES.

Out of a total of 12,228 packages of hides exported from the port of Zanzibar during the year 1892, of the value of 258,912 rupees, no less than 10,986 packages came to Europe, while America took 1,236 packages. London received 1,638 packages, Marseilles 220, Hamburg 8,215, and other European ports smaller quantities. New York and Boston received 1,236 between them. Of the larger number shipped to Hamburg probably the greater part was for transshipment to American or English ports. If, therefore, there is any ground for suspecting that the germs of the disease can be carried by the hides, a strong case arises for inquiry and such action as the results of competent inquiry may call for in the interests of stock owners in England. It is almost superfluous to say that cattle disease is a matter which calls for the closest and most anxious attention of our authorities in whatever part of the world it makes its appearance, and no avenue by which it can possibly approach our shores should escape the strictest vigilance. Many kinds of cattle disease have been met with by travelers in Africa, more or less contagious and destructive in their effects.

One or two may be mentioned by way of illustration, although it will be noticed that in incidence, as well as dimensions, they bear no comparison with the late plague in central and eastern Africa, howsoever analogous they may appear in some other respects. Emin Pasha describes a plague which he witnessed in Latuka in 1881. "Although the abundance of game," he says, "is a blessing to the people, I attribute to it a fact which I could not previously explain; all cattle brought here, and riding animals, such as donkeys, mules, etc., are ruined after a short stay. Swellings on different parts of the body, loss of appetite, emaciation, and, finally, death, follow one another speedily; a combination of symptoms which I attribute to the intrusion of intestinal worms. This view is confirmed by the fact that all the game absolutely swarms with worms. This is always the case in countries where salt is rare." Dr. Schweinfurth observes a somewhat similar state of things among the cattle of the Dinka tribe, also in the White Nile regions. The continual dampness of the pasture, he says, especially during the rainy season, favors the development of revolting intestinal vermes, and rain pools in dry months become most prolific as breeding places for cercaræ. Half the cattle in the country sickened and died with all sorts of intestinal disorders. Dr. Schweinfurth was, however, sure that, notwithstanding these herds were wholly unaccustomed to salt, its use would infuse new life and vigor into them; he attributed the preservation of his own cow to the administration of salt to her regularly. Other forms of cattle disease are mentioned by him, but these cases, as well as that described by Emin Pasha, differ from the recent plague in one very important respect, i. e., they are confined to cattle and domestic animals only, whereas the latter has been equally fatal to such game as the buffalo, whose carcasses travelers have found strewn over the country.

OBSERVATIONS OF THE DISEASE.

With regard to the east African plague, which may almost be said to have swept away every four-footed beast in the immense pastoral regions of the Somauli, Masai, and surrounding tribes, we have some particulars from intelligent witnesses which may prove of interest. In May, 1891, Mr. Rogers, an officer of the East Africa Company, in charge of the district of Witu, on the coast, in reporting the death of seventeen of his bullocks, believed their deaths to have been "undoubtedly from the same disease that is carrying off thousands of head of cattle in the Somauli and Masai countries and elsewhere. Mr. Jackson," he adds, "informs me that he heard from Mr. Gedge that this same disease is raging in Lykipia, in the Masai country, where out of immense herds only a few head are left." The symptoms of the disease are described as follows: A bull leaves the camp at daybreak for grazing, apparently in perfect health, eats steadily for a couple of hours or so and drinks water freely, when suddenly he may be seized with spasms; the limbs become rigid; the animal staggers and falls down; his breathing is very short, quick, and irregular; the entire body, especially the back and stomach, is very hot to the touch, and just before death blood drips from the mouth, nose, and ears, and water from the eyes. An animal thus seized generally dies in the course of half an hour, but sometimes gets over the first attack, moves about in a dazed state for a few hours, is then seized again with spasms and dies. It was also noticed that, since the disease had shown itself, the bullocks ate earth in large quantities, though they were freely supplied with salt. In no case did any animal once seized recover. Every known remedy was tried by Europeans and natives (East Indians), but without success. As an experiment, one animal which was very bad was given an enema of hot soap and water and a draught of a pint of beer; though the animal was almost rigid at the time, it recovered, grazed freely, but died on the following day.

Though the symptoms of the disease were pronounced to resemble pneumonia, cold was not the cause, as all the animals were comfortably housed. A post-mortem examination was made upon two of the bullocks by a medical officer, who, however, did not profess to know anything of veterinary medicines, and described the appearances of the tissues as they appeared to him from his knowledge of human anatomy. It was his opinion that the disease was pneumonia in an epidemic form. In both cases on opening the chest the lungs only collapsed slightly, and there were no adhesions to the chest walls. In one the pleural cavities were dry; in the other they contained a considerable amount of fluid—the left containing more than the right. The lungs were heavy and solid to the touch throughout, pitting on pressure, when a frothy, red serum oozed out. On section, they cut like flesh; and in one case large spots of a considerably darker color than the rest were scattered over the surface, and these on being cut were more consolidated than the surrounding tissue. The heart was well contracted, and all the cavities contained dark clots of blood. The spleen was considerably enlarged.

THE PLAGUE IN ZANZIBAR ISLAND.

In Zanzibar Island horses are subject to an epidemic, which has, it would appear, some relation to the cattle plague on the mainland. The disease is deadly not only to horses, but to every kind of herbivorous animals, to fowls, it is said also to fishes, and, what is still more important, to man. Dr. Charlesworth, the consular medical officer at Zanzibar, has had numerous opportunities of studying this disease, and, in conjunction with the late Captain Fuchs, Austrian consul, "determined, without any doubt whatever," to quote his own words in a recent report, "that this disease is that variously known in England as anthrax, malignant pustule, or splenic fever; in France as charbon, and in Germany as anthrax or milzbrand." As Dr. Charlesworth is of opinion that the tremendous visitation which lately devastated the mainland is the same disease, his remarks upon it are interesting. The most important symptoms he regards to be the preliminary ones, which may last from one to several days, during which the animal is sluggish, extremely depressed and feeble, loses its appetite, and would probably be found to have a very high temperature. This stage he regards as the most important, as it is the only one in which remedial measures have any chance of success. "The germ of anthrax," Dr. Charlesworth says, "undoubtedly exists in the grass in certain districts. When the land is once infected with these disease producers, drainage and cultivation appear to be the only means of getting rid of them. They appear to become much more numerous in wet and damp weather. It is important to point out that it is not the dampness of the grass that constitutes the danger, but the germs which accompany it." The most significant statement made by Dr. Charlesworth is that this fatal disease is not only highly contagious, but that grass is not the only means of conveying contagion; water, and everything that has come in contact with a diseased animal, may do so. All carcasses should be burned, as well as stable utensils, etc., and wood flooring and

other woodwork of stables. It appears somewhat doubtful whether any serious attempt is made by Arabs to take due precautions in such cases. It is even said that the slaughter of diseased animals is contrary to Mohammedan faith, or, at any rate, the slaughtering of them in any way except in accordance with Mohammedan customs. In such an epidemic as that which has ravaged the mainland, and is now extending toward the Cape, precautionary measures are out of the question. But in view of the opinion of Dr. Charlesworth that the disease on the island and the mainland is the same, and that everything that has been in contact with a diseased animal will convey the contagion, it becomes a serious question how far it is safe to continue importing from the infected regions large quantities of hides, many of which may have been taken from diseased animals. There is, at any rate, a case for competent inquiry and investigation by an expert, and the Department of Agriculture might usefully give its early attention to the expediency of obtaining full and reliable information on the spot by a qualified veterinary surgeon. The time is past when we could afford to run risks.

THE DISEASE IN GREAT BRITAIN.

In the annual report of the veterinary department of Great Britain for the year 1892 the director thus speaks of the prevalence of anthrax among the domesticated animals of that country during the past year, and of the efforts of the authorities to check its spread:

ORIGIN IN THE KINGDOM UNKNOWN.

From remote times anthrax must have existed in this Kingdom, but no restrictive measures were adopted to check its spreading until 1886, when, in concession to the requests of local authorities, this disease was included in the list of maladies which come under the provisions of the contagious diseases (animals) acts. Of the origin of anthrax nothing is known, but of its antiquity no doubt can be entertained. Under various names it is referred to in the oldest records, and from our knowledge of the nature of the malady and its mode of propagation, there is nothing to justify a hope that it will ever be extinguished. To the scientist anthrax is a subject of inexhaustible interest. Dr. Burdon Sanderson quotes the discovery of the anthrax bacillus by Pollender in 1855 as the starting point of bacteriology. The malady is the first in reference to which it could be asserted that minute organisms could be found in the blood and tissues of diseased animals. To the stock owner the fact that anthrax is due to the entrance into the blood of a minute rod (bacillus), which is one of the large family of fungi and grows from spores or seeds, must be very significant, because he will at once recognize that it is almost impossible to prevent those microscopic organisms from entering his stables and fields. Any substance which is brought onto a farm may act as a carrier of the infecting agent; fodder, litter, manure, whether from home or foreign sources, may contain the spores. A water course may carry the poison; in fact, the channels through which the infecting agent may be conveyed to the susceptible animal are beyond calculation.

Diseased animals do not transmit the infection to others in the ordinary way—by association. The organism on which the disease depends must be introduced into the blood through a wound, however small, or an abrasion, however slight, before the affection is communicated, and it may be said without exaggeration that a carcass of an animal dead of anthrax is more dangerous than the diseased animal was at any time during life.

At the urgent solicitation of various local authorities, an order was passed on September 16, 1886, giving them powers to regulate the movement of animals from premises on which anthrax had broken out and to cleanse and disinfect premises where diseased animals had been kept; also to dispose of carcasses of animals dead of anthrax by burial or other means. No powers were given to slaughter, as animals when attacked die so suddenly that slaughter could rarely be enforced, and the slaughter of animals in contact would be wasteful, as the disease often ceases after one or two animals have died.

In some parts of the country, however, the disease has a constant existence, and certain pastures became so contaminated that periodical losses inevitably occur. In other instances the affection does not reappear for years.

POWER GIVEN TO SLAUGHTER INFECTED ANIMALS.

Many local authorities expressed a desire that power should be given to slaughter and pay compensation, on the ground that in some cases the disease might be stamped out on premises where only a few animals were kept with less inconvenience than attends the ordinary methods of isolation until the disease has ceased. To meet

these views an order was passed at the end of 1892, and came into operation in the beginning of 1893, including horses, asses, and mules as animals which may be attacked, as well as cattle, sheep, and swine, and giving power to local authorities to slaughter, but allowing the owner to appeal to the board of agriculture if for any reason he should deem slaughter to be undesirable.

So far as is possible to judge from the returns of cases of anthrax in farm stock, the regulations which have been in force since 1886 have done little or nothing to check the disease. In fact, we had in 1892 a larger number of counties infected and considerably more animals attacked with the disease than at any period since 1886. In 1891 anthrax existed in 38 counties in England and 12 in Scotland, while in 1892 there were 44 counties in England, 1 in Wales, and 15 in Scotland in which the disease existed during the year.

There is ample evidence of the spreading of anthrax through ignorance of its existence. An animal is found dead in a field, the hide is removed and sent to the market, the carcass is cut up and given to the pigs or is taken uncovered in a cart to a knacker's yard or a slaughterhouse to be destroyed or utilized, and thus the spores of the anthrax organism are diffused. By chance a veterinary surgeon may see some of the diseased parts and recognize the malady, but in the majority of cases nothing is known until outbreaks of the disease occur and are traced to the movement of a carcass or its consumption by swine on the premises where the animal died.

In the anthrax order of 1892 local authorities are instructed to avoid as far as possible effusion of blood in slaughtering diseased animals or when providing for the destruction of the carcasses of animals dead of the disease. Burial of uncut carcasses with a sufficient covering of quicklime is the most simple and effective method of disposing of them. The organisms soon die when the access of air is prevented. But when the carcasses are destroyed by burning or boiling it is generally necessary to cut them in pieces first, and this process is not only dangerous to the persons employed, but is calculated to spread the disease unless the utmost caution is observed and disinfectants are freely used.

EXTENT OF PREVALENCE.

The disease has prevailed to a much greater extent in England and some of its dependencies during the present year than in the year 1892. From the English journals devoted to the interests of agriculture it is shown that there were thirty-eight outbreaks during the month of January, 1893. In these outbreaks there were 83 animals affected. Three of these recovered, 4 were killed, and the remainder died. During the year outbreaks, resulting in a mortality of a large majority of the animals attacked, occurred in the following localities in England, Scotland, and Ireland: Spalding, in Lincolnshire; Kingsclere Division of Hampshire, Aberdeenshire, Fifeshire, Perthshire, Wigtownshire, Elgin, Linlithgow, Perth, Fonfar, Roxburgshire, Dumfries, Kirkcudbright, Ross, Damside, Dunnichen, Mid-Lothian, Hartwell Hall, in Staffordshire; Lanarkshire, and Stirling.

From one to five outbreaks occurred in many of the localities above named. In the six weeks ended on February 11, 1893, there were 48 fresh outbreaks, in which 118 animals were attacked. In the corresponding period of 1892 there were 34 outbreaks, and 51 animals attacked. In the twenty-eight weeks ended July 15, 1893, there were 256 fresh outbreaks of the disease, during which 590 animals were attacked. In the corresponding period of 1892 there were 141 outbreaks, and 320 animals attacked.

On June 30, 1893, the judges of the first division of the court of sessions ordered issue for trial by jury of an action by James McAdam, cattleman, Kirkland, Terregles, Kirkcudbright, against Thomas McWilliam, farmer, Kirkland, in which pursuer sued for £242 13s. He was in defender's service, and states that on the 11th of March last, upon defender's orders, he cut up the carcass of a bullock which had died of anthrax. He was, in consequence, infected with anthrax, and had since been in Dumfries and Galloway Royal Infirmary. He believed his right arm was permanently injured. The work, he alleged, was outside his

regular duties, and was known to the defender to be a dangerous one. He claimed £200 as damages for injuries, and the balance as wages and rent for the current year.

From the Mark Lane (London) Express of September 4, 1893, the following items relating to the prevalence of the disease during the present year in Great Britain are taken:

OUTBREAK THE PRESENT YEAR.

There has been a fresh outbreak of anthrax at Elmswell, East Yorkshire, where 30 beasts last week succumbed to the disease. The fresh cases are on an adjoining farm, and near a barn where the first infected beast was slaughtered before the nature of the disease was known. One beast and two pigs that ate some of the remains of the slaughtered animal have died, and some other pigs in the neighborhood that were fed with the carcass, are reported to have died.

Anthrax has broken out in Cheshire on the farm of Mr. Thomas Newport, of Utkington, near Tarporley. One animal has died from the disease, and rigorous measures are being adopted to prevent its spread to the valuable herds of dairy cattle in the district. For several months there have been repeated outbreaks of anthrax on the farm of Mr. T. Bassett, of Tittensor, near Trentham. In all, 10 animals have died from the malady, and the farm is under the continuous supervision of the police authorities and their veterinary inspectors. On Wednesday a well-marked case of anthrax in a pig was reported from Aldridge, near Walsall, and a suspicious case, also in a pig, has occurred at Keele, in North Staffordshire.

A supposed case of death from anthrax has been reported to the Worcester coroner. Edwin Hodges, aged 14, employed at Messrs. Webb's horsehair factory, was admitted to the infirmary about a week ago, and died on Friday the 25th ultimo. It is believed that the disease was communicated from hair used at the manufactory to a small pimple on the boy's face, and developed so rapidly as to prove fatal

THE DISEASE IN AUSTRALIA, AND PASTEUR'S METHOD OF VACCINATION.

The Secretary of State recently furnished the officers of the Delaware Agricultural College and Experiment Station with a copy of a communication from Hon. George H. Wallace, late United States consul-general at Melbourne, relating to the prevalence of anthrax in Australia, and the efforts being made there for its extirpation. This communication, for an advanced copy of which the Bureau of Animal Industry is indebted to the officers of the above-named institution, bears date of Melbourne, Australia, July 24, 1893, and is addressed to Hon. Josiah Quincy, Assistant Secretary of State. It is accompanied by a number of inclosures, giving, in detail, the results of a series of experiments with Pasteur's method of vaccination for the suppression of anthrax. The communication is as follows:

FIRST APPEARANCE IN AUSTRALIA.

The first outbreak in Australia of what is clearly recorded as being that of anthrax occurred on a farm belonging to Mrs. Cordeaux, at Leppington, in the county of Cumberland, colony of New South Wales, in 1847, and from the county the disease took its name as the Cumberland disease. The ravages of the disease became so great that a commission was appointed in 1851, under the direction of Sir Edward Deas Thompson, to inquire into its nature, and to offer such suggestions for its suppression as should seem best. This commission reported, as a fact, that the symptoms, course, and post-mortem appearances of the disease were in all respects "similar to a disease long known in France under various names, of which the most common is the 'maladie du sang.'" In 1855 M. Pollender demonstrated that anthrax was always accompanied by the presence of rods or filaments in the blood of diseased animals. In 1857 Brauell discovered the rods in the blood of a diseased animal before death, and also in the human subject after death. In 1861 and 1862 Pasteur made known his discovery of the butyric ferment, the bacillus subtilis or amylobacter, and showed that this wand-shaped microbe or bacillus was the sole and active agent in the process of butyric fermentation.

M. Devaine experimented by inoculating some sheep with a liquid containing the rods, and produced the disease with its accompanying fatal results, and again beheld the rods or bacilli in the blood of the dead animal.

In 1868 Mr. Gordon, chief inspector of stock in Queensland, became satisfied as to the identity of the anthrax of Europe with the Cumberland disease in Australia.

PROTECTIVE VACCINE.

In 1877 Pasteur proved that the bacilli are the direct and active agents in producing the disease, and in 1881 came the discovery of a protective vaccine by Pasteur, who, with Chamberland and Roux, were the originators of the method of protective vaccination against anthrax. Mr. Anthony Willows reports to the Government in 1883—confirming the diagnosis—that the Cumberland disease was identical with the European maladie du sang, known likewise as splenic fever, or anthrax, and he was the first in Australia to advocate vaccination as a protection against the disease. Mr. W. E. Abbott, of Wingen, New South Wales, in a letter to the Sydney Morning Herald, April 3, 1883, strongly urged Pasteur's method of protective vaccination. In 1885 Mr. Edward Stanley, Government veterinarian, in reporting upon an outbreak of the disease at Narandera, recommended Pasteur's method, but nothing was done in regard to it, as Mr. Alexander Bruce, the chief inspector of stock, in the absence of full information, could not recommend it. In 1888 the representatives of M. Pasteur came to Australia to deal with the rabbit plague, and Drs. Germont and Hinds visited Narah Station and saw a sheep that had just died of the disease. As the result of their examination, they unhesitatingly pronounced the disease to be the same as that known in France as maladie du sang, charbon, sang de rate, etc.

Some attenuated virus was obtained from M. Pasteur and arrangements were made to have it tested officially and in as public a manner as possible upon a number of sheep.

Stockmen and squatters had agreed in attributing the disease to plants or herbage the sheep may have eaten, and a large number of specimens of plants were submitted to the Government analyst for examination and analysis. But these steps failed to clear up the mystery, and direct practical tests with the plants on the sheep themselves gave no support to the theory. Pasteur made some interesting experiments in this direction. He found that food that had been infected with virulent virus of anthrax was not always fatal to sheep, and that the majority of the sheep so fed did not contract the disease. But on mixing virulent virus with dry barbed ears of barley, oats, thistles, and chaff, the mortality rose at once to 80 and 90 per cent, proving beyond all question that the abrasion and irritation caused by the sharp points of the plants at once gave the necessary conditions and placed the animal in reach of the disease.

Mr. Willows, in reporting upon an outbreak of the disease on the Lachlan, said: "I found much of the grass of the Lachlan district to be very penetrating, hard and fine in its fiber, and the terminal extremities of the seeds were quite prickly in many instances, and I observed that many of the sheep were feeding upon thistle seeds." "Vaccination against anthrax is accomplished by injecting, hypodermically, 4 minims of an attenuated virus of a known strength, obtained by cultivation from the blood of an animal suffering from the disease." "A mild attack of the disease is set up, not enough to produce any discomfort to the animal, imperceptible, indeed, except for the rise in temperature, the increase being from 103° F., normal sheep's temperature, to 105° F., or perhaps 106° F. This constitutes the first vaccination, and of itself is not sufficient to insure the certain protection of the sheep or cattle." The second vaccination is performed some fifteen days after, with the virus of increased strength.

On the 4th of September, 1888, 20 sheep and 4 cattle were submitted to a first vaccination by Dr. Germont. The part of the animal selected was the inner side of the right thigh. The surface was first washed with water containing a few drops of carbolic acid, and about 2 minims of the vaccine injected under the skin by means of a small sterilized Pravaz syringe. Temperature of the sheep registered 103° to 104° F. In forty-eight hours the temperature rose about 3° F., gradually falling to normal.

On the 18th of September these sheep were again vaccinated by Dr. Germont, the general average rise in temperature being about 4° F.

The test inoculation was arranged to take place on the 2d of October, the sheep being timed to die on the 4th. Nineteen healthy sheep were let loose into the yard with 20 vaccinated sheep; the whole 39 were then inoculated alternately with 2 minims of blood, obtained direct from a sheep that had just died from anthrax.

RESULTS OF VACCINATION.

The results were clear and unmistakable. Every one of the 19 unvaccinated ones died within a period averaging forty-eight hours, while the 20 vaccinated sheep walked about among the dead, eating contaminated food, unhurt, and in perfect health.

Of the cattle, 4 were vaccinated on the 4th and 18th of September at the same time and place. Two unvaccinated ones were obtained and all 6 were inoculated on the 2d of October just after the sheep. Results, 1 of the unprotected cattle died and the other recovered after a severe illness. The 4 vaccinated animals showed no signs of inconvenience from the inoculation.

The above is an abstract of the history of Cumberland disease, as it is called in Australia, from the earliest recorded outbreak down to the official test at Junee of the efficacy of Pasteur's method of vaccination for the prevention of the disease.

The subject was one for earnest discussion and study by the veterinarians and squatters of the colonies, and at a meeting held at Doyle's Hall, Junee, October 3, after the experiments were held, many pertinent questions were asked and answered by the specialists present, among which may be noted the following:

"Question. Whether it was dangerous to introduce into sheep on sound country?

"Answer. It might not be wise to vaccinate in a country where the disease did not exist, as there might perhaps be a possibility of a vaccinated sheep dying, and if not at once burnt it could contaminate the soil; still the risk altogether is small.

"Question. What effect climatic influence had on the development of the disease, and whether dry weather would destroy the germs?

"Answer. Warm, moist, spring weather favored the growth of bacilli. The spores (seed germs) are practically indestructible; they lie latent, but retain their vitality through very dry seasons. In France the disease is quite as prevalent in dry as in swampy country. The bacilli could not grow in a temperature of less than 65° F., nor more than 108° or 110° F., but the spores or seeds retained their vitality beyond these limits.

"Question. Is the disease infectious and contagious in the ordinary sense of the term?

"Answer. It is to a certain extent both infectious and contagious, from the fact that the disease is communicated to sound country by the discharges of infected sheep, and thousands of spores escape from one dead body.

"Question. How long will the protection last?

"Answer. At least twelve months; some sheep can be protected for many years.

"Question. Is there any danger of infected traveling sheep leaving disease which might affect sheep following them?

"Answer. It may be that such sheep dying, spread spores which will germinate sooner or later; so it is dangerous."

Mr. Stanley stated that "it all depended on the soil and country they traveled over. On some stony, rough country the spores were killed outright, while if distributed in suitable places the spores developed bacilli, or they may reproduce spores living on vegetation apart from an animal. It is when the spores are eaten with herbage in certain favorable seasons that they prove so fatal to sheep.

"Question. Does the vaccine increase or decrease in potency with time?

"Answer. A cultivation which has been maintained for some days at the spore-preventing temperature (107° to 109° F.) will become, as it is called, attenuated; that is to say, it gradually ceases to possess virulence, and at one particular stage possesses the property of protecting animals against the virulent virus of anthrax. As age increases the virus gradually loses even this property, and finally becomes inert. Not so with the spores, whose vitality, on the other hand, is maintained for years, even when dried to a fine dust."

PASTEUR'S METHOD RECOMMENDED.

After carefully watching the whole series of experiments and giving the subject the fullest consideration, the official board reported that they were "unanimously of opinion that the efficacy of Pasteur's vaccine of anthrax as a preventive against that disease had been demonstrated, and they therefore recommended its adoption and use."

The official record of observations at the Junee test is as follows:

Record notes of animals vaccinated with first vaccine at Junee, while under observation, September 4, 5, and 6, 1888.

SHEEP.

Mark.	Sex.	Age.	Temperature.		
			Sept. 4.	Sept. 5.	Sept. 6.
225	Wethers	2-tooth	103 2	104. 0	103. 0
227	do	6-tooth	103. 8	104. 0	103 0
228	do	do	103. 4	104. 6	106. 0
229	do	4-tooth	104. 2	104. 8	104. 8
230	do	do	103. 4	104. 4	104. 0
231	do	do	103. 2	103. 4	102. 4
232	do	do	104. 0	103. 8	103. 6
233	do	do	103. 6	106. 2	104. 0
234	do	do	103. 8	104. 6	104. 2
236	do	6-tooth	103. 2	104. 8	104. 6
237	do	do	103. 0	103. 2	103. 4
238	do	8-tooth	103. 0	103. 4	104. 6
239	do	6-tooth	103. 0	103. 0	102. 8
240	do	do	103. 0	104. 0	104. 0
241	do	4-tooth	104. 2	104. 4	104. 0
242	do	6-tooth	103. 6	103. 2	104. 6
243	do	4-tooth	103. 6	103. 8	104. 4
244	do	6-tooth	104. 0	104. 6	103. 4
246	do	do	103. 6	103. 0	104. 6
247	do	do	104. 0	104. 2	103. 0
Mean			103. 54	104. 07	103. 92

CATTLE.

41	Cow	Aged	102. 0	101. 8	102. 0
55	do	4 years	102. 2	101. 4	102. 0
22	do	3 years	104. 8	102. 0	101. 8
77	do	do	102. 0	101. 8	101. 8
Mean			102. 75	101. 75	101. 9

Record notes of animals vaccinated with second vaccine at Junee, while under observation, September 18, 19, and 20, 1888.

SHEEP.

Mark.	Sex.	Age.	Temperature.		
			Sept. 18.	Sept. 19.	Sept. 20.
225	Wethers	2-tooth	103. 0	105. 8	103. 0
227	do	6-tooth	103. 4	105. 0	103. 0
228	do	do	104. 0	103. 2	103. 0
229	do	4-tooth	104. 8	107. 0	104. 8
230	do	do	104. 8	106. 0	104. 0
231	do	do	103. 6	105. 0	102. 8
232	do	do	103. 4	105. 0	103. 8
233	do	do	104. 0	104. 0	102. 8
234	do	do	103. 6	104. 0	103. 6
236	do	6-tooth	103. 0	104. 0	102. 4
237	do	do	103. 0	103. 2	102. 8
238	do	8-tooth	102. 6	103. 0	102. 8
239	do	6-tooth	103. 1	104. 0	104. 4
240	do	do	103. 6	104. 0	102. 8
241	do	4-tooth	103. 4	107. 0	103. 2
242	do	6-tooth	104. 0	103. 0	103. 6
243	do	4-tooth	104. 6	104. 6	105. 2
244	do	6-tooth	103. 8	105. 0	103. 0
246	do	do	104. 0	104. 6	104. 0
247	do	do	103. 8	106. 0	.....
Mean			103. 63	104. 67	103. 4

Record notes of animals vaccinated with second vaccine at Junee, etc.—Continued.

CATTLE.

Mark.	Sex.	Age.	Temperature		
			Sept. 18.	Sept. 19.	Sept. 50.
41	Cow	Aged	102.4	102.4	102.0
55	do	4 years	102.0	102.0	102.2
22	do	3 years	101.8	101.8	102.2
77	do	do	102.4	103.0	102.3
Mean			102.15	102.37	102.17

Table showing deaths of nineteen unprotected sheep.

No.	Date of death.	Time.	No.	Date of death.	Time.
2	Wednesday, October 3	8.15 p. m.	4	Thursday, October 4	5.45 a. m.
7	do	8.26 p. m.	18	do	6.15 a. m.
15	do	10.44 p. m.	1	do	7 a. m.
14	do	11.25 p. m.	3	do	12 m.
11	Thursday, October 4	12.55 a. m.	9	do	3 p. m.
19	do	1.40 a. m.	17	do	3 p. m
6	do	1.45 a. m.	16	do	5.30 p. m.
13	do	2.05 a. m.	8	do	6.15 p. m.
12	do	2.35 a. m	5	Friday, October 5	5.30 a. m.
10	do	3.40 a. m.			

Of the two unprotected cattle, one died on October 7; the other, though very ill, recovered.

A list of questions was formulated and sent to the secretaries for agriculture of the colonies of Victoria, South Australia, New South Wales, and Queensland, in regard to the use of the Pasteur vaccine of anthrax (see report C. E. Corney, inspector of stock at Wahgunyah, Victoria) and the replies received are hereto annexed as exhibits.

I very much regret that I have been unable to obtain a copy of the official report of the experiments at Junee, to forward with this report (as it is probably out of print) but I have endeavored to give the main facts in full from the copy loaned me.

A few days since I fortunately met the owner of the 15,000 unvaccinated sheep spoken of by Mr. Corney in his report, and he was most enthusiastic in his praise of the vaccine as a preventive, and stated that his loss had been an object lesson to himself and his neighbors, who had heretofore doubted its efficacy.

The letter of the acting chief inspector of stock for New South Wales says there are "no reports or bulletins published of the experiments and results at the Rodd Island Bacteriological Laboratory at the present."

EXHIBITS.

A, No. 1. Letter from secretary, Victoria.
A, No. 2. Letter from inspector of stock, Victoria.
A, No. 3. Report, C. E. Corney.
A, No. 4. Questions and answers.
A, No. 5. Extract report, L. Watson.
B. Letter from secretary, South Australia.
C. Letter from inspector, Queensland.
D, No. 1. Letter from inspector, New South Wales.
D, No. 2. Extract report, 1892, New South Wales.
D, No. 3. Extract report, 1893, New South Wales.

G. H. WALLACE,
United States Consul-General.

UNITED STATES CONSULATE-GENERAL,
Melbourne, Australia, July 21, 1893.

[EXHIBIT A, No. 1.]

DEPARTMENT OF AGRICULTURE,
Victoria, Melbourne, July 6, 1893.

SIR: In reply to your letter of the 31st May, last, relative to anthrax and the use of virus as a preventive measure in this colony, I have the honor to forward the

inclosed copies of reports furnished by the acting chief inspector and one of the inspectors of stock on the subject, and I shall be pleased to know that the information contained therein will be of assistance to you.

I have the honor to be, etc.,

D. E. MARTIN,
Secretary for Agriculture.

G. H. WALLACE,
United States Consul-General, Melbourne.

[EXHIBIT A, NO. 2.]

CUSTOM-HOUSE,
Victoria, Melbourne, June 21, 1893.

SIR: In accordance with your minute of the 7th instant, on papers numbered as per margin, I have the honor to report that anthrax, except in a few isolated cases, is unknown in Victoria, consequently Mr. Pasteur's discovery of inoculation with cultivated virus has not been tried in the colony.

Being unable to reply to Mr. Wallace's questions, I asked Inspector Corney to kindly obtain for me information on the subject, as Junee, in New South Wales, is not far from his crossing, and his report on the subject I forward herewith.

It would appear from the report and pamphlets forwarded that stock owners who have inoculated their flocks with cultivated virus believe in its efficacy.

That the danger of spreading the inoculated disease is only in the case of animals dying and their remains being left unburnt.

That the cultivated virus soon loses its potency, but a fresh supply can be easily obtained.

I have the honor to be, etc.,

W. H. STEPHEN.

SECRETARY FOR AGRICULTURE.

[EXHIBIT A, NO. 3.]

WAHGUNYAH, AUSTRALIA, *June 19, 1893.*

SIR: I have the honor to report on the use of M. P- teur's vaccine of anthrax.

It is extremely hard to get an unprejudiced opinion from stock owners as to the efficiency of the vaccine in protecting sheep from anthrax, as the majority of owners of infected country will not give any information about it, in fact will not admit they have the disease for fear of decreasing the value of their properties (as you will see by copy of report by Mr. T. Watson, inspector of stock at Cowwa, New South Wales, attached), but there are many instances where it has been tried and where the owners do not mind giving their experiences, but will not have their names or the names of their properties used. I will quote some instances that have come under my notice. One Riverina stock owner was losing annually 8 per cent of his sheep through anthrax, when in 1890 he had all his sheep (more than 25,000) vaccinated, and at once reduced his death rate to less than 1 per cent, and since that time he has each year had his lambs vaccinated, and the death rate is still less than 1 per cent. A great test was proved on this station last year, when another stock owner with unvaccinated sheep sent 15,000 of them to this station for grass and he lost 2,500 of them from anthrax, while the vaccinated sheep with only wire fences separating them were not affected in the least. This shows that the germs remain in infected ground for years. Another stock owner with about 9,000 sheep was losing over 20 per cent of them annually from this disease, and he also had them all vaccinated in 1890, and his lambs each year since, and his death rate is reduced to less than 5 per cent from all causes. I could quote many other instances of benefits derived from vaccination if necessary.

I am sending you a copy of report on experiments at Junee, and other papers relating to the use of the vaccine (which I have only borrowed, so will have to ask you to return them when you have done with them). I also attach answers to the questions asked. The answers are derived from information given by various stock owners and from Mr. A. A. Devlin, of Junee, Mr. Pasteur's Australian agent for his vaccine of anthrax. He does not advertise, so I could not get any slips, but his prices are 2½d. per sheep for flocks of 15,000 and over up to 3⅓d. per sheep for flocks of 2,500 or under.

I have the honor to be, etc.,

C. E. CORNEY,
Inspector of Stock.

W. H. STEPHEN, Esq.,
Acting Chief Inspector of Stock, Melbourne, Australia.

[EXHIBIT A, NO. 4.]

ANSWERS TO QUESTIONS IN REGARD TO THE USE OF M. PASTEUR'S VACCINE OF ANTHRAX.

Question. Public opinion ruling among stock owners as to the efficiency of the attenuated virus in combating anthrax.

Answer. As far as can be ascertained the opinion among stock owners is that vaccination with M. Pasteur's vaccine for the protection of sheep from anthrax is a decided success

Question. What dangers are to be dreaded, i. e., whether experience has demonstrated in Australia that the attenuated virus either loses or increases in potency with time?

Answer. No dangers are to be dreaded. The attenuated virus loses its potency with time, and this has been the difficulty about its use, but this difficulty has been overcome, and now M. Pasteur's agents here have better vaccine than during 1890 and 1892.

Question. The risk that the use of such virus involves in spreading the disease through excreta, etc.

Answer. There is no risk of spreading disease with the virus if it is only used on infected country; it is only when death results from the vaccination that any virulent germs are produced, and the death rate from vaccination is so small that it is easy for stock owners to burn the few carcasses of sheep which die and so destroy the germs therein.

C. E. CORNEY,
Inspector of Stock.

WAHGUNYAH, *June 19, 1893.*

[EXHIBIT A, NO. 5.]

COPY OF REPORT ON ANTHRAX BY MR. T. WATSON, INSPECTOR OF STOCK, COWWA, NEW SOUTH WALES, AND FURNISHED BY HIM TO THE CHIEF INSPECTOR OF STOCK, SYDNEY.

Question. Whether the sheep have been affected by anthrax?

Answer. Yes; more or less all over the district, with a few exceptions. On three out of four holdings where Pasteur's inoculation was used there have been no deaths, but on the other holdings, where half the stock were protected, the loss on the inoculated and otherwise is about the same, 15 per cent.

It is very hard to get any information on the subject of this disease, as owners think that to acknowledge that it exists on their holdings decreases the value of their property, but from what I have seen and heard it has been very bad this year and is still on the unprotected holdings. It was worse this year at shearing time than in former years and not so bad in November and December, and it does not seem to be so severe on long-wool and crossbred sheep as on Merino.

[EXHIBIT B.]

OFFICE OF THE MINISTER OF AGRICULTURE AND EDUCATION,
Adelaide, June 14, 1893.

SIR: In reply to your letter of the 31st ultimo, I am directed by the honorable the minister of agriculture and education to inform you that anthrax has not made its appearance in the Province of South Australia, consequently the virus (attenuated) has not been used. No opinion has been expressed by stock owners as to its efficacy or otherwise.

The chief inspector of stock, to whom your communication was referred, states that he would have no hesitation in recommending the use of attenuated virus as a preventive measure in the event of anthrax making its appearance among the stock in this colony.

I have the honor to be, etc.,

JAMES BATH,
Secretary, Minister of Agriculture and Education.

[EXHIBIT C.]

OFFICE OF CHIEF INSPECTOR OF STOCK,
Brisbane, June 8, 1893.

SIR: The secretary for agriculture has handed me your letter to him of 31st May, requesting an opinion relative to anthrax virus prepared by M. Pasteur and used commercially as a preventive measure, and has requested me to reply thereto.

I have, therefore, the honor to inform you that true anthrax does not exist in this colony at the present time, but should it at any time appear in the colony I have not the slightest doubt but that it would be availed of by our stock owners, as its efficacy as a prophylactic is universally believed in here.

We have no reports on the subject beyond those which you will have received from the New South Wales authorities.

I have the honor to be, etc.,

P. R. GORDON,
Chief Inspector of Stock.

GEO. H. WALLACE, Esq.,
United States Consul-General, Melbourne, Victoria.

[EXHIBIT D, NO. 1.]

DEPARTMENT OF MINES, STOCK, AND AGRICULTURE,
Sydney, June 9, 1893.

SIR: I am directed by the secretary for mines and agriculture to acknowledge receipt of your letter of the 3d instant respecting M. Pasteur's virus for anthrax, and asking for any reports or bulletins published of the experiments and results at the Rodd Island Laboratory.

In reply I have the honor to state that there are not any reports or bulletins published of the experiments and results at the Rodd Island Bacteriological Laboratory, but the attenuated virus for prevention of anthrax has been used upon several holdings with good effect, having very considerably reduced the losses among sheep, which, prior to using the virus, prevailed upon the holdings referred to.

I would refer you to the accompanying copies of the reports of this branch for 1891 and 1892 for fuller particulars, which are forwarded herewith.

I have the honor to be, etc.,

WM. D. TOWER, (?)
Acting Chief Inspector of Stock.

Gen. W. KAPUS,
Consul for the United States, Sydney.

[EXHIBIT D, NO. 2.]

[Extract from stock report of New South Wales for the year 1891.]

Statement showing the result of vaccination for anthrax during the year 1891.

Lots vaccinated.	Number of sheep vaccinated.	Were any dying when vaccinated?	Number of vaccinations.	Number of deaths after first vaccination.	Number of deaths after second vaccination.	Number of deaths after third vaccination.	State of weather during operation.	Number of deaths by failure of operation.
1	9,000	No	First and second	.....	.....	.....	Fine	.....
2	350	No	do	.....	.....	.....	do	.....
3	500	No	do	.....	.....	.....	do	.....
4	6,000	No	do	.....	.....	.....	do	.....
5	6,000	No	do	.....	.....	.....	do	.....
6	2,000	No	do	.....	.....	.....	do	.....
7	1,000	No	do	.....	.....	.....	do	.....
8	15,000	No	Second	10	15	.....	Cold, wet, and windy	.....
	22,000	No						
9	4,000	No	First and second	.....	.....	.....	Cool to cold	.....
10	10,500	No	do	.....	.....	.....	do	.....
11	700	No	do	.....	.....	.....	do	.....
12	3,900	.....	do	.....	.....	340	Not stated	340
	8,311	.....	Second	.....	.....			
Total.	98,261	.....	.....	10	15	340	.....	340

[EXHIBIT D, NO. 3.]

[Extract from stock report of New South Wales for the year 1892.]

Statement showing the result of vaccination for anthrax during the year 1892.

Lots vaccinated.	Number of sheep vaccinated.	Were any dying when vaccinated?	Number of vaccinations.	Number of deaths after first vaccination.	Number of deaths after second vaccination.	Number of deaths after third vaccination.	State of weather during vaccination.
1	5,868	No	First and second	.....	200	.....	Moderately cool and occasionally showery.
2	1,204	No	do	.....	9	.....	Do.
3	2,500	No	First only	.....	.....	.....	Wet and cold.
4	11,226	No	First and second	.....	45	.....	Hot.
5	2,400	No	do	.....	.....	.....	Cool and fine.
6	7,590	No	do	.....	.....	.....	Do.
7	500	No	do	.....	.....	.....	Do.
8	1,600	Yes	do	.....	.....	.....	
9	6,323	Yes	do	.....	.....	.....	
10	3,186	Yes	do	.....	.....	.....	
11	1,146	Yes	do	.....	1	.....	
12	688	Yes	do	.....	.....	.....	
13	1,700	Yes	First	50	.....	.....	
14	98	Yes	do	.....	.....	.....	
15	7,000	Yes	Third	.....	.....	.....	Wet.
	8,000	Yes	First and second	.....	.....	.....	Do.
16	9,000	Yes	do	.....	.....	.....	Mild and dry.
Total.	70,029	.....	.....	50	255	.....	

EXTIRPATION OF MALADIE DU COÏT.

BALTIMORE, MD., *December 1, 1893.*

SIR: I have the honor to submit the following as my report of work done in Nebraska and South Dakota in stamping out maladie du coït.

Very respectfully,

GEO. C. FAVILLE, D. V. M.,
Veterinary Inspector

Hon. J. STERLING MORTON,
Secretary of Agriculture.

We arrived at Gordon, Nebr., June 23, 1893, and at once began work. The work I did in 1892 in the investigation of this disease and the work done by Mr. Edward Shelden just prior to our visit enabled us to at once begin the slaughter of diseased mares. We found that a very large proportion of the mares I found diseased in my investigations of last year had died.

Taking the service book of one stallion described in my report of last year as the property of M. Swigert, we found that of the mares bred after the horse was known to be diseased 26 out of 39 had died. We killed 13.

This is a fair proportion for all those horses known to have been diseased. I described the appearance of the disease fully in my report last year. The history of a few cases will show the character of the disease as seen at this time:

HISTORY OF CASES OBSERVED.

Case 1.—Bay mare, 10 years old, the property of Leonard Dean; was bred to Swigert's horse May 27, 1891; was taken sick about two months afterwards and showed a weak, staggering gait; coat rough and staring and a muco-purulent discharge from vulva. Now shows a perceptible weakness in posterior limbs, the vulva showing a white incrustation, which, upon being rubbed off, leaves white spots more or less confluent. Clitoris protruding and hard to the feel. No discharge.

This mare was purchased and killed. Post-mortem showed, besides the conditions mentioned above, a thickened fibrous clitoris; the mucous membranes of vagina thickened and a large quantity of mucus in the uterus, the os uteri being surrounded by a yellowish gelatinous deposit. Fibrinous bands extended from the liver, spleen, and other abdominal organs, to the peritoneal lining of the abdominal cavity. Ovaries enlarged and made up of a number of sacs containing a serous deposit.

Case 2.—A gray stallion, 7 years old, property of Roy Beckwith, 12 miles south of Gordon. This horse was described in my report of last year. At that time he was greatly emaciated and showed acute symptoms of the disease. At the present time the horse is in excellent condition. When brought near the corral of mares, he seems as amorous as any other stallion would be. The penis when protruded is of a papery white appearance, and shows a yellowish scaly "scurf" over its entire extent. Near the glands there are numerous petechial spots, and about the middle there are several ulcers, red, with ragged edges. Testicles enlarged and evidently attached to the

scrotal walls. The spermatic cords thickened and soft to the feel. Sheath and scrotum thickened and fibrous. Purchased and killed by shooting through the brain.

The post-mortem examination showed the lymphatic glands more or less thickened; testicles enlarged one-third, and show, near points of adhesion on convex surface, small irregular ulcerated spots. Scrotum contained about 2 quarts of straw-colored serum. Spermatic cords and arteries very much enlarged, the cord being as large as a man's wrist.

Case 3.—Gray mare, 4 years old, property of Andrew Larsen. This mare, in May of last year, got away and got with Beckwith's stallion (case 2). For a month afterwards she swelled very badly about the vulva. The swelling then subsided and she seemed very weak, staggering as she walked, and emaciated and unthrifty in appearance. She has been so weak and unthrifty as to be unable to work. At present is thin in flesh. Appetite good; cut food does not seem to do her any good. Vulva swollen and covered with white confluent spots. Clitoris white and rigid. No discharge from vagina. Purchased and killed. Both ovaries greatly enlarged, about 4 inches each in diameter, and appear as blood clots more or less organized contained in fibrous capsules.

Case 4.—Bay mare described in my report of last year as the McSparran mare. This mare was bred to the Swigert horse two years ago and has shown evidence of disease since, although she has done work regularly. Shortly after having been bred she showed a glairy discharge from vulva and white spots began to show over vulva and anus. She lost flesh, but did not get so weak as to stop her work. The mare seemed to improve in condition this spring, and was much stronger when I saw her than when seen last year. The white spots had most of them left the vulva, and she showed no discharge. The mucous membrane of the vagina was a pale pinkish white and the clitoris had completely lost its color. At times the mare is very weak across the loins and shows almost a staggering gait; at other times seems strong. This spring the mare was bred to a small bay stallion, the property of Joel Crow, who lives 6 miles east of Lavaca, Nebr. Shortly after having been bred she began to fail, and at the time of purchase and slaughter was unable to stand her work.

We purchased and killed her, and post-mortem revealed that the left ovary was normal, the right about the size of a man's fist, and contained a partly organized blood clot. Clitoris white and rigid; lymphatics enlarged; other organs normal. The Crow stallion bred to this mare has been killed.

Case 5.—Gray mare, 6 years old, property of Batiste Pourrier, Manderson, S. Dak. Pourrier purchased from Waller Brothers, Charles City, Iowa, a black draft stallion in the spring of 1892. This horse seemed sick for some time, but was supposed to be suffering from the effects of having been shipped. He seemed to be as amorous as usual, but had difficulty in covering his mares. He was put with a bunch of 17 mares, which he served at various times during the summer. Of the 17, all but 4 died. This mare was one of those served. She showed confluent white spots over vulva and anus and the underside of tail, and extending down the thighs and over the udder; also similar spots around the nose and eyes. Purchased and killed her by shooting.

The post-mortem showed the lymphatic glands indurated and enlarged, those of the mesentery ranging in size from a hazelnut to an English walnut. Numerous petechial spots over the mesentery. The organs in the abdominal cavity and thorax normal, the walls of the uterus thickened and indurated. Mucous membranes thickened and covered with a yellowish gelatinous deposit. The left ovary was the size of a man's fist, and contained in its center and extending from side to side a partially organized blood clot; right ovary normal. Clitoris a pale pink and surrounded by a cheesy deposit.

Case 6.—Gray mare, 7 years old, property of Pourrier. This mare was bred to the Waller horse in spring of 1892 and to a stallion on the place about six weeks ago. This animal was very fat and showed no evidence of disease except a pinkish white clitoris and a peculiar gait behind. Purchased and killed by shooting. The uterus contained a fetus about six weeks old. Right ovary about the size of a man's fist, and showing a center of coagulated blood about the size of an English walnut and numerous cavities containing a straw-colored serum. Left ovary the size of a child's head, hard to the feel and glistening in appearance. On section about one-half pint of bloody serum escaped, leaving a fibrous yellowish clot weighing about 2 pounds. The whole character of the ovary was changed.

The above cases amply illustrate the character of the disease we have been combating. From them it will readily be seen that while it is a comparatively easy matter to diagnose the disease in its acute form, those cases which have apparently recovered, or which may more properly be termed chronic, present greater difficulties.

VARIATION IN PERIOD OF INCUBATION.

Taking the service book of the stallions known to have been diseased, and counting from the date of the service to the date when the mares were first noticed to have been diseased, we find a great variation in the period of incubation. Some of the mares were very apparently sick inside of two weeks and were dead in less than two months, while from all accounts some of them did not show evidence of disease for four or five months, and in some cases the owner claims even longer than that. I think it is safe to say that the period of incubation varies within those limits, i. e., from two weeks to four months. The symptoms as I have detailed them in my report of last year and at this time vary somewhat from those described by most writers on maladie du coït, but I do not think the variations are greater than could be expected when we take into consideration differences in climatic conditions and methods of handling.

Mares kept running at large summer and winter upon the open range in the high altitude and dry climate of the Nebraska and Dakota plains are in much better condition to resist the ravages of disease than those kept under confinement in a lower and more dense atmosphere.

While here numerous rumors, more or less specific in character, have reached us of the presence of this disease in the neighborhood of Casper, Wyo. In order to investigate the trouble there, on the 16th of August we drove over the range from Casper to the ranch of Hon. B. B. Brooks, 20 miles southeast of Casper. During the last three years Mr. Brooks reports that he has lost about 50 per cent of all his horses from some disease, and that this experience has been repeated by all the ranchmen in his part of Wyoming. The symptoms as seen in several cases are those of spinal meningitis. Mr. Brooks is of opinion that the trouble arose from a horse brought into the country from the East and turned loose upon the range, and that before this horse was brought there no cases had ever been known.

The Hon. Mr. Hurt, State senator of Wyoming, is fully convinced that the disease is due to a vegetable poison of some kind, and points to the habits of Indians years ago of driving their horses off from this range in the fall and spring because they were "heap sick," and that as soon as moved the trouble stopped. Mr. Brooks, on the other hand, claims that he has often moved his horses without good results.

The trouble is evidently epizootic spinal meningitis. We could find no trace of maladie du coït in Wyoming.

We found several cases of maladie du coït upon the Indian Reservation. Through the kindness of Capt. Charles G. Penny, acting Indian agent at Pine Ridge, S. Dak., we were enabled to make a careful inspection of the principal herds of horses on the reservation. Most of them are found along the White River and its southern tributaries. We found several cases of the disease on the ranch of Batiste Pourrier on Wounded Knee Creek, evidently contracted from the horse described above as having come from Waller Brothers, in Iowa.

We found one case at the ranch of N. Janis, on White River, and one in the herd of Louis Shangrau. These mares could have been easily infected by a stallion on Pourrier's stud, which ran fora time on the range.

One case on Medicine Root Creek belonging to J. O'Rourke was evidently infected in the same manner. We inspected about 2,000 horses on the reservation and found no disease outside of this one infection.

It is quite impossible to determine the extent of the exposures that there may have been upon the range. But from the habit of horses running at large in distinct bands, each stallion staying with his own harem and not allowing other horses to mix with them, we do not think that the danger of infection is great. We have found but few stallions affected. Most of the owners of stallions in the vicinity of Gordon, Nebr., have refused to breed to mares for the past two years that were not known to be sound, and most of those horses that had been exposed have been either castrated or have died.

We castrated several stallions that had probably been exposed, and in most cases the castrated horses have greatly improved in flesh and strength after castration. Several of the stallions that were castrated at our suggestion last year are fully recovered and at work.

One section of the country that should be carefully watched is the range country south of Gordon, in what is known as the Sand Hills. The Beckwith horse, noted above, ran in that part of the country for some time and may have served mares which we have not been able to find. It is impossible to find all of them. Several cases have been reported upon ranches at the head of Pine Creek, in Sheridan County, 50 miles southwest of Gordon. I visited the range there and inspected the herds of L. H. Hooper, H. Green, J. Hawkins, and Christ. Mosler. I found that several mares belonging to these parties had been caught in a prairie fire and rather severely scorched over the udders, peritoneum, and vulva, resulting in swelling and ulceration. These mares have, so far as I could find, recovered, and I could find no evidence of maladie du coït.

This range is about 60 miles west of the one where the Beckwith horse ran. With a possible danger in the locality indicated, we believe the disease to be completely eradicated.

PREVALENCE OF TUBERCULOSIS AMONG CATTLE IN NEW YORK.

WASHINGTON, D. C., *June 15, 1893.*

SIR: Your authorization, dated March 20, 1893, directing me to go to Charlotte and Rochester, N. Y., and such other places in that vicinity as would be necessary to investigate an outbreak of tuberculosis among cattle, gives me the opportunity to make the following report.

Very respectfully,

E. C. SCHROEDER, M. D. V.,
Veterinary Inspector.

HON. J. STERLING MORTON,
Secretary of Agriculture.

About the beginning of February, 1893, a cow belonging to a herd of registered Jerseys near Charlotte, N. Y., died from an affection diagnosed on post-mortem examination as tuberculosis. This circumstance, together with the owner's belief in the contagious nature of the disease, led him to suspect the presence of other cases in his herd, and to the determination to remove them if possible. A Rochester veterinarian was consulted, and on February 24 and 25 the entire herd was inoculated with Koch tuberculin—one-half the herd on the first date and the remainder on the second. Subsequently 1 bull, 8 cows, and 1 heifer were destroyed, and all found to be tuberculous upon post-mortem examination.

At this stage the work ended. Other animals also seemed to have shown the reaction after inoculation, indicating tuberculosis, but in a degree too small to warrant their destruction. The temperature of the cattle had been taken only a single time previous to inoculation, and the absence of a series of temperatures taken before inoculation left the operator without a criterion of the value of such slight elevations as may have occurred after the inoculation of what evidently was a dose of tuberculin too small to cause really significant reactions.

I saw the herd the first time on March 24. At that time it consisted of 26 animals in excellent condition, well fed, well stabled, and generally well cared for.

On March 25 the temperature of each animal was taken per rectum every two hours, from 10.25 a. m. to 10.25 p. m., and at midnight each animal received a dose of tuberculin in a 12½ per cent solution injected under the skin on the left side of the neck. The tuberculin used was prepared in the chemical laboratory of the Bureau of Animal Industry.

On March 26 the temperatures of the animals were again taken every two hours from 8.25 a. m. to 10.25 p. m. During the two days the herd was under observation it was cared for in as nearly as possible the customary manner. It was watered once daily, about noon; fed three times, receiving ensilaged cornstalks, bran, corn meal, and hay, and milked twice, morning and evening.

The history of the trouble in this herd is merely the presence of a mildly contagious, slowly fatal affection, of which the recognizable symptoms do not become evident until the disease is far advanced

among a number of cattle, several or all of which trace their ancestry more or less directly back to a tuberculous mother herd.

RESULTS OF INOCULATIONS.

The results of the inoculations, as determined by the rise in temperature and the post-mortem examinations of the animals destroyed, are given as follows:

Cow No. 1.—Condition good; age, 7 years; calved about three months ago; had not been served by bull since. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	99.4	101.0	100.6	101.4	101.0	101.6	101.6
March 26.—Temperature (degrees F.) after inoculation	102.5	103.2	105.8	104.8	102.4	103.2	104.6	102.2

The rise of temperature on March 26, indicating the presence of tuberculosis, led to the destruction of the animal April 3. Post-mortem examination showed, in the left principal lobe, where it rests against the right principal, halfway between the cephalic and caudal ends, a tuberculous mass as large as a man's fist. A similar mass, half as large, in the same region of the right principal lobe, was found. There was a third tuberculous mass, 1½ inches in diameter, in the center of the right ventral lobe. Mediastinal, bronchial, portal, and mesenteric glands containing cheesy tubercles were discovered.

Cow No. 2.—Condition good; age, 3 years; had been served by bull about six months before, and was pregnant. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	102.0	102.1	101.6	102.1	101.8	102.0	102.0
March 26.—Temperature (degrees F.) after inoculation	105.0	105.8	107.5	106.4	106.0	106.0	105.2	104.5

Killed March 31 and examined post-mortem.

In the left ventral lobe, at its root, there was found a tuberculous mass 2 inches square, visible on the surface and dipping into the lung tissue to the depth of its diameter. The mediastinal glands were enlarged and caseous throughout. There were a few small caseous tubercles in the mesenteric glands.

Heifer No. 3.—Condition good; 3 years old; served for the first time six months ago; pregnant. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	102.1	101.7	101.6	102.1	102.2	102.0	101.8
March 26.—Temperature (degrees F.) after inoculation	108.2	107.0	106.5	106.3	105.2	105.2	104.5	103.5

Killed March 31 and examined by post-mortem.

The only tubercular lesion found was one mediastinal gland enlarged to 5 inches long, 2 inches thick, and 1 inch wide, and entirely converted into a cheesy mass sprinkled with calcareous particles.

The liver contained on surface and section a number of small necrotic areas one-sixteenth of an inch in diameter and clusters of such areas one-third to one-half of an inch in diameter, probably of parasitic origin.

Cow No. 4.—Condition good; 3½ years old; seven months pregnant. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.8	101.6	101.4	101.8	102.2	102.0	101.8
March 26.—Temperature (degrees F.) after inoculation	102.5	102.2	102.0	101.8	101.8	101.7	101.8	102.2

This cow aborted March 26, 6 a. m., about six hours after inoculation. Whether the inoculation was to blame for this remains an unanswered question, excepting that it is well to bear in mind, in this connection, that it is by no means the first case of abortion which had occurred in the herd.

The rise in temperature after inoculation was not sufficient to condemn the cow as tuberculous, and even had there been a marked elevation it would hardly have been just under the circumstances to attribute it to the presence of tuberculosis.

Cow No. 5.—Condition good; calved several months ago, and had not been served by bull since. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	102.0	101.8	102.4	102.2	102.0	102.4	102.0
March 26.—Temperature (degrees F.) after inoculation	101.3	101.4	101.5	101.6	102.0	101.6	101.2	101.5

No reaction. Animal not killed.

Cow No. 6.—Condition fair; 10 years old; calved four months ago, and has not been served by bull since. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	100.7	101.4	101.2	102.0	101.5	101.4	101.0
March 26.—Temperature (degrees F.) after inoculation	102.5	104.6	105.8	105.4	105.0	105.0	106.0	104.0

Killed March 30 and examined by post-mortem. In the center of the left principal lobe was found a tubercular area 1½ inches in diameter. A few small cheesy tubercles were also found in the mediastinal and mesenteric glands. On the omentum were a number of small pink tubercles. Liver as in case No. 3

Cow No. 7.—Condition good; calved about two months ago, and has not since been served by bull. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.4	101.4	101.8	101.8	101.8	101.4	101.6
March 26.—Temperature (degrees F.) after inoculation	104.9	105.0	106.9	106.4	105.6	105.8	106.4	105.4

Killed March 30 and examined by post-mortem. One gland in the posterior mediastinum contained some tubercles from one-fourth to one-half of an inch in diameter; the substance of these tubercles was cheesy, with calcareous particles. Numerous small cheesy tubercles in the mesenteric glands were found. Liver as in case No. 3.

Cow No. 8.—Condition good; age, 3 years; aborted November, 1892, in the sixth month of pregnancy, and has not since been served by bull. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	100.9	101.6	101.6	102.0	101.5	101.5	102.2
March 26.—Temperature (degrees F.) after inoculation	102.2	101.2	101.6	101.5	102.2	101.5	102.6	102.2

The slight elevation in temperature the day following inoculation was not considered sufficient to justify destroying the animal.

Heifer No. 9.—Condition fair; age, 3 years; very small for age; had been served for first time by bull about two months ago; some doubt as to pregnancy. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.8	101.8	101.4	101.8	101.9	101.4	101.2
March 26.—Temperature (degrees F.) after inoculation	102.5	101.8	101.9	101.4	102.0	102.0	102.0	102.0

No reaction; not killed.

Heifer No. 10.—Condition good; 1 year old; has not been served by bull. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	102.3	101.8	101.8	102.2	102.0	102.3	102.4
March 26.—Temperature (degrees F.) after inoculation	105.5	106.2	106.2	106.2	105.6	105.8	104.2	105.6

Killed March 30 and examined by post-mortem. Two tubercular areas in the left principal lobe, near the center of the lobe, one 4 inches and the other 1 inch in diameter. There was adhesion between the larger area and the chest wall. One gland in the posterior mediastinum, 3 inches by 1½ inches by 1 inch in size, was found to contain six cheesy tubercles.

Cow No. 11.—Condition good; 3½ years old; seven months pregnant. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.7	101.8	102.6	102.0	102.0	102.2	102.2
March 26.—Temperature (degrees F.) after inoculation	103.7	104.9	105.7	106.5	105.4	105.0	105.0	102.6

This animal, notwithstanding the fact that she gave the reaction characteristic of tuberculosis in a high degree, was not destroyed. She was spared for the time being in order to save her calf.

Cow No. 12.—Condition good; about 3 years old; seven months pregnant. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.8	101.8	101.8	101.8	102.3	102.2	102.2
March 26.—Temperature (degrees F.) after inoculation	106.6	107.4	107.0	107.0	106.8	105.8	106.6	105.2

This animal was not killed for the same reason given for sparing cow No. 11.

Heifer No. 13.—Condition good; 2 years old; had been served by bull about two months ago. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.8	102.0	101.7	102.0	102.1	102.2	102.8
March 26.—Temperature (degrees F.) after inoculation	103.3	104.6	105.9	106.3	105.8	105.4	106.0	105.8

Killed April 3 and examined by post-mortem. In the left principal lobe, near its caudal end, embedded in the lung substance, was a tubercular nodule 1 inch in diameter. A few small, cheesy tubercles in the mesenteric lymphatics were found. Liver as in case No. 3, excepting that the lesions were more extensive.

Heifer No. 14.—Condition good; about 3 years old; served by bull two months ago. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.5	101.4	101.7	101.8	101.8	101.9	102.0
March 26.—Temperature (degrees F.) after inoculation	102.2	102.2	101.8	101.5	101.3	101.6	101.4	101.5

This heifer gave no reaction from which tuberculosis could be diagnosed, but as the man in charge of the herd suspected that she was affected, and both her parents had shown tuberculosis on post-mortem examination, she was destroyed. On post-mortem, April 3, one mediastinal gland was found enlarged to 2 inches in length, 1 inch thick, and 1 inch wide, and contained four caseous tubercular areas, each one-half of 1 inch in diameter. Mesenteric glands contained several cheesy tubercles. Liver as in case No. 3.

Heifer No. 15.—Condition good; 2 years old; had never been served by bull. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.2	101.6	101.6	102.0	102.3	101.8	101.9
March 26.—Temperature (degrees F.) after inoculation	102.5	102.3	103.3	100.2	101.6	102.0	101.6	101.5

The reaction, if the slight increase in temperature the day following inoculation can be called such, was not considered sufficient to justify killing the animal.

Heifer No. 16.—Condition good; 1 year and 3 months old; had never been served by bull. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.6	102.1	101.8	101.9	101.9	101.8	101.9
March 26.—Temperature (degrees F.) after inoculation	104.5	105.7	105.6	106.4	105.8	105.3	104.8	104.5

Killed March 31 and examined by post-mortem. Nothing found but a few caseous tubercles in the mesenteric lymphatic glands.

Heifer No. 17.—Condition good; 1 year old. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.0	101.8	101.7	102.3	102.1	102.0	101.8
March 26.—Temperature (degrees F.) after inoculation	101.6	101.8	101.6	102.2	101.8	102.2	101.8	101.4

No reaction; not killed.

Heifer No. 18.—Condition good; 1 year old. Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.8	102.0	101.4	102.3	102.3	101.6	102.4
March 26.—Temperature (degrees F.) after inoculation	104.5	104.6	106.0	105.8	105.7	106.2	105.4	104.8

Killed April 4 and examined by post-mortem. The intestinal lymphatics contained a number of tubercles with cheesy centers. Liver as in case No. 3.

Heifer No. 19.—Not quite 1 year old; condition good Received 1½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2 25 p m	4 25 p m	6 25 p m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101. 6	101. 6	101. 5	102. 0	101. 6	101. 8	101. 6
March 26.—Temperature (degrees F.) after inoculation	102. 6	101. 8	101. 4	101. 8	102. 8	102. 0	102. 0	101. 4

Not killed.

Calf No. 20.—Male, 4 months old; condition good. Received 1 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	102. 8	102. 4	101. 8	102. 4	102. 5	102. 4	102. 7
March 26.—Temperature (degrees F.) after inoculation	102. 0	101. 4	101. 6	101. 8	101. 8	103. 6	102. 0	102. 2

No reaction; not killed.

Calf No. 21.—Female, 1 month old; condition good. Received ¾ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101. 6	102. 0	102. 0	102. 7	103. 0	102. 6	102. 7
March 26.—Temperature (degrees F.) after inoculation	102. 0	102. 5	103. 2	102. 2	102. 6	102. 5	101. 9	103. 6

No reaction; not killed.

Calf No. 22.—Female, 1 week old; condition good. Received ½ c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	103. 0	103. 4	102. 6	103. 3	104. 2	104. 0	103. 0
March 26.—Temperature (degrees F.) after inoculation	103. 0	102. 0	101. 1	101. 8	102. 0	102. 4	102. 5	102. 4

No reaction; not killed.

Bull No. 23.—Condition good; 3 years old. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	12.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	100. 6	101. 4	100. 0	100. 6	100. 8	101. 8	101. 0
March 26.—Temperature (degrees F.) after inoculation	105. 0	105. 6	106. 2	105. 4	106. 2	106. 6	105. 6	104. 2

Killed April 3 and examined by post-mortem. In the center of the left ventral lobe was found one tubercular area embedded in the lung tissue about 1 inch in diameter. There was a similar area in the anterior portion of the left principal lobe where it rests against the left ventral. There were two similar areas in the center of the left principal lobe. These tubercular areas were all embedded within the lung tissue and were invisible until an incision was made. The mediastinal and bronchial glands were all enlarged, and many either contained cheesy foci or were cheesy throughout. The mesenteric glands and the glands at the portal fissure contained cheesy tubercles.

Bull No. 24.—Condition good; 2 years old. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.2	101.6	102.3	102.3	102.5	102.3	102.5
March 26.—Temperature (degrees F.) after inoculation	102.0	102.2	101.3	101.4	102.4	101.8	102.5	101.0

No reaction; not killed.

Bull No. 25.—Condition good; 6 years old. Received 2 c. c. tuberculin solution.

	Hour at which temperature was taken.							
	8.25 a. m.	10.25 a. m.	12.25 p. m.	2.25 p. m.	4.25 p. m.	6.25 p. m.	8.25 p. m.	10.25 p. m.
March 25.—Temperature (degrees F.) before inoculation	.....	101.2	101.9	102.5	101.7	102.2	101.2	101.3
March 26.—Temperature (degrees F.) after inoculation	102.5	103.3	104.7	105.2	103.8	103.4	102.5	101.0

Killed March 31 and examined by post-mortem. Almost one-half of both principal lobes was converted into tubercular cheesy matter, the posterior half of the lobes being affected. Scattered throughout the entire lungs were tubercular foci from one-fourth of an inch to 2½ inches in diameter. All the glands about the lungs, mediastinal, bronchial, etc., were enlarged and either sprinkled with tubercular foci or entirely converted into caseous matter. A few small tubercules were found in the mesenteric glands.

Cow No. 26.—Condition good; age, 3 years; calved March 30. This cow was not inoculated on March 25 with the balance of the herd. She showed marked symptoms of calving in a few days, and it was believed best to wait until that event had taken place. Inoculated April 3 at 12 p. m., receiving 2 c. c. of the tuberculin solution.

	Hour at which temperature was taken.							
	8.00 a. m.	10.00 a. m.	12.00 m.	2.00 p. m.	4.00 p. m.	6.00 p. m.	8.00 p. m.	10.00 p. m.
April 3.—Temperature (degrees F.) before inoculation	101.4	101.6	101.0	101.4	101.8	102.2	102.0	102.4
April 4.—Temperature (degrees F.) after inoculation	104.8	105.8	105.2	.....	.....	.....	.....	.....

Killed April 4, 1 p. m., and examined by post-mortem. In the right principal lobe, visible on the ventral surface, there was found a tubercular area about the size of a hen's egg, and in the center of the right ventral lobe an area about one-fourth of an inch in diameter. There were no other lesions.

A second herd of registered Jerseys, which had substantially the same history as the foregoing, was inoculated at Newport, N. Y. It consisted of one bull, three cows, and four heifers, constituting the remainder of a herd which had been under the care of the same Rochester veterinarian already spoken of in connection with the first herd. Here likewise a number of animals had been destroyed and found to be tuberculous, and here again the work ended prematurely for the same reason already advanced in connection with the first herd. The results of the inoculations and post-mortem examinations I conducted are given below:

Cow No. 1.—Condition fair; 4 years old; pregnant about seven months. Inoculated March 28, 10 p. m., receiving 2 c. c. of tuberculin solution.

[The long interval in taking the temperature March 28, from 11 a. m. to 4 p. m., was due to the accidental breaking of the clinical thermometer in use and the time required to secure a new one. The same is true of the other cases where a longer interval than two hours occurs between any two recorded temperatures.]

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	102.6	103.0	102.0	101.0	.....	.....	101.4	101.4	101.2	100.4
March 29.—Temperature (degrees F.) after inoculation	100.2	100.8	102.0	102.6	103.0	103.2	.....	103.2	103.2	103.8

Killed April 1 and examined by post-mortem. A few small nodules with cheesy contents were found in the mesenteric lymphatic glands after long searching. It is possible that the nodules found in this animal were of parasitic origin, as it is also possible that the slightly elevated state of the temperature after inoculation was not due to the action of the tuberculin. The difference between the highest temperature registered before and after inoculation is only eight-tenths of one degree, and this elevation did not occur until twenty-three hours after inoculation. The only important point is the continued slight elevation from the thirteenth until the twenty-third hour after inoculation, but as this may be accounted for on other grounds than the action from the tuberculin in an animal seven months advanced in pregnancy, I would suggest that this case be thrown out, as having no true value in one direction or the other.

Cow No. 2.—Condition fair; 4 years old; pregnant. Inoculated at the same time and given the same dose as Cow No. 1.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	101.4	101.2	101.0	100.4	.....	.....	100.6	101.2	101.4	102.0
March 29.—Temperature (degrees F.) after inoculation	102.0	100.6	101.6	101.2	100.8	101.4	.....	101.8	102.8	102.2

No reaction; not killed.

Heifer No. 3.—Condition good; age, 2 years. Received 1½ c. c. tuberculin solution March 28, 10 p. m.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	102.4	102.6	102.0	101.8	.....	.....	101.8	101.4	101.2	101.4
March 29.—Temperature (degrees F.) after inoculation	102.4	101.4	100.6	100.8	101.8	102.0	.....	101.6	102.6	102.2

No reaction; not killed.

Cow No. 4.—Condition poor; 8 years old; supposed to be pregnant; very nearly full time; had the appearance of a cow in that condition. Received 2 c. c. tuberculin solution 10 p. m., March 28.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.	11.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	102.2	102.5	102.0	101.4	.....	.....	101.4	101.4	101.0	101.8
March 29.—Temperature (degrees F.) after inoculation	101.4	101.0	101.6	101.8	101.6	101.2	.....	101.2	102.0	100.4

Notwithstanding the absence of a reaction, this animal was destroyed and examined by post-mortem April 1. The lung was found to be exceedingly large, and collapsed little or not at all when the thorax was opened; every part of it was emphysematous, and upon section each lobule was marked in its center by an irregular black patch 1 mm. in diameter, surrounded by a yellowish green area 1 mm. broad. There were several adhesions between the chest wall and the lung on both sides by means of firm connective-tissue bands. Similar adhesions to the diaphragm, and the various lobes of the lung bound to each other by similar connective tissue. The glands in the posterior mediastinum enlarged and sprinkled with cheesy areas from one-half to two-thirds of an inch in diameter. A few cheesy tubercles found in the mesenteric glands. The left ovary was enlarged to the size of a man's fist, and the right ovary was one-half as large. The increase in size upon section appeared to be due to an extensive increase in the connective tissue.

The cow had been running with the bull during the three months previous to the last six or seven before slaughter, and had so much the appearance of pregnancy that both the local veterinarian and the man in charge believed her heavy with calf. On post-mortem no sign of pregnancy was visible.

Heifer No. 5.—Condition good; 3 years old; pregnant. Received 2 c. c. tuberculin solution 10 p. m., March 28.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	103.4	104.2	102.2	102.2	.....	.....	102.4	102.6	102.4	103.2
March 29.—Temperature (degrees F.) after inoculation	102.8	102.6	103.8	103.6	103.2	103.2	.....	103.8	103.8	103.0

The temperature of this animal was so irregular the day before inoculation that nothing could be determined from the slight, apparently constant elevation following the inoculation. Physical examination showed the presence of a heart trouble. Not killed because she was an animal of particular value.

Heifer No. 6.—Condition good; 2 years old. Received 1½ c. c. tuberculin solution 10 p. m., March 28.

	Hour at which temperature was taken									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	101.2	101.4	101.0	100.6	.....	.....	101.4	101.6	101.0	101.0
March 29.—Temperature (degrees F.) after inoculation	101.6	101.6	101.8	102.0	101.2	102.2	.....	101.6	101.6	101.2

No reaction; not killed.

Heifer No. 7.—Condition good; 2 years old. Received 1½ c. c. tuberculin solution 10 p. m., March 28.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m.	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	101.2	101.4	101.0	.....	.....	.....	101.6	102.4	102.2	102.0
March 29.—Temperature (degrees F.) after inoculation	100.4	101.8	101.8	101.6	100.8	102.0	.....	102.4	102.6	102.4

No reaction; not killed.

Bull No. 8.—Condition good; age 3 years. Received 2 c. c. tuberculin solution 10 p. m., March 28.

	Hour at which temperature was taken.									
	5.00 a. m.	7.00 a. m.	9.00 a. m.	11.00 a. m.	1.00 p. m.	3.00 p. m.	4.00 p. m	5.00 p. m.	7.00 p. m.	9.00 p. m.
March 28.—Temperature (degrees F.) before inoculation	101.4	101.0	101.6	.....	.....	.....	101.6	101.4	101.2	100.6
March 29.—Temperature (degrees F.) after inoculation	100.4	101.6	103.6	103.4	102.0	103.6	.....	102.2	102.2	102.0

Killed April 1 and examined by post-mortem. The central portion of the left principal lobe was found adherent to the chest wall by means of pale pink bands of tissue; under this adhesion in the lung tissue were two cheesy foci, each about 2 inches in diameter. One of the posterior mediastinal glands was enlarged and contained two cheesy tubercles.

REVIEW OF THE WORK.

A general review of this work shows a reaction in 15 animals out of a total of 34 inoculated with tuberculin. Of the 15 animals which reacted 13 were destroyed and examined by post-mortem, and in each of them it was possible to clearly determine the presence of tubercular lesions, sufficiently extensive in only two or three cases for a possible ante-mortem diagnosis. In addition to this, 1 animal was destroyed in which the reaction was doubtful, and here, also, the lesions were of a doubtful

character, and 2 animals were killed which gave no reaction but had the history and general appearance indicative of tuberculosis, and in these, also, lesions of tuberculosis were found. This would lead to the conclusion, if the present experiment is taken by itself, that the presence of a reaction is coincident with the presence of tuberculosis, but that for some unaccountable reason the absence of a reaction by no means signifies that the animal is not affected. Why the inoculation should have given negative results in the presence of tuberculosis in heifer No. 14 of the first, and cow No. 4 of the second herd is a difficult question to answer. The probability is that a reaction may have been present in heifer No. 14 previous to the taking of the first temperature, March 26; at least this view seems plausible when taken into consideration with the fact that the first temperature, taken March 26, eight and one-half hours after inoculation, was slightly higher than any temperature the day preceding inoculation, and that this slight elevation was still present two hours later in the day. A second inoculation with tuberculin, about two weeks after the first, would have been desirable in this case, as well as several other cases which showed a like minute rise in temperature the day after inoculation. In cow No. 4 of the second herd the extensive affection of the lungs and ovaries may have acted a part in suppressing the reaction; consequently I believe these cases should have little weight in estimating the degree to which reliance can be placed upon the results of tuberculin inoculation for practical purposes.

INJURIES TO CATTLE FROM SWALLOWING POINTED OBJECTS.

By THEOBALD SMITH, M. D., and CHARLES F. DAWSON, M. D., D. V. S.

That cattle are very prone to swallow indigestible substances, many of them injurious and even fatal, has been known to veterinarians for a long time. It is, however, regarded by many of them of rare occurrence, a casualty worthy of note more as a curiosity than as something demanding constant attention.

Autopsies on tuberculous cattle made during the past four years have shown clearly that injuries inflicted by pointed metallic bodies are of frequent occurrence, and therefore of decided economic importance.

Information gained from the above-mentioned examinations causes us to believe that this evil may, to some extent, be prevented. It was noticed that while in certain herds nearly all animals examined were free from injuries due to foreign bodies, in others nearly every one was injured. On investigation it was ascertained that this difference was due to the fact that one herd had access to miscellaneous objects on pastures and the other had not. Before giving any illustrations of these statements, let us see what injuries are caused by foreign bodies.

Among the most frequent post-mortem indications of the presence of some foreign body are evidences of an inflammatory process about the second stomach (reticulum, or honeycomb) by which it becomes fastened, either to the liver or to the diaphragm, or to both. In the new tissue formed by this inflammatory process are one or more round abscesses or tumors, which when cut open discharge a foul-smelling pus. In some of the herds examined scarcely an animal was free from this inflammatory condition. The binding down of the free (ventral) end of the liver by inflammation is equally frequent and accompanied by a degeneration of some of the liver tissue. Again, the course of the foreign body is invariably toward the lungs and the heart. It punctures the liver or the diaphragm and penetrates a lobe of the lungs or the heart. When it enters the lungs a pneumonia is usually started which extends over the greater part of the affected lobes. In some instances an abscess forms, and this may break into an air tube and the contents be discharged externally.

The most unfortunate and usually fatal injury is the penetration of the heart by the pointed body. Death may come speedily or slowly after a wasting disease, according to the nature of the injury to the heart. In the cases which we have seen, the injury usually resulted in an inflammation of the pericardial sac, followed by suppuration. The pericardium becomes enormously distended with fluid and pus. This exudate compresses the heart to such an extent that its action becomes very feeble and death results from general dropsy.

Another disease which has been lately observed by us in dairy cattle, as a result of injury to the second stomach by foreign bodies, is

abscess in the liver. Sometimes there were as many as five or six of these abscesses, each at least as large as a hen's egg and filled with foul pus.

The literature on this subject is meager, most authors dismissing it with a few sentences. Thus Chauveau says:

> It may be noted that the foreign bodies so frequently swallowed by ruminants are usually lodged in the reticulum (second stomach). Therefore it is that at the bottom of the cells are found either small stones and needles or pins, often fixed in the intermediate septa, or nails, scraps of iron, etc.

Most writers deal only with the graver kinds of disease due to foreign bodies, such as those which affect the heart, because only fatal cases have come to their notice. Williams says:

> In ruminants, particularly cattle, foreign bodies often find their way into the pericardium (heart case), wounding both it and the heart. While the carditis (inflammation of the heart) so induced is circumscribed and merely surrounds the point of puncture, the pericardial inflammation and exudation involve the whole surfaces of the membrane. Cattle are exceedingly fond of chewing and swallowing all sorts of substances. For example, nothing seems to give greater pleasure to a cow than to have an old boot or other piece of leather in its mouth, and this it will chew at with evident gratification. An old brush is also a dainty morsel, and I have seen as a consequence of this that the pericardium has been pricked by the brush nail. Many kinds of sharp-pointed materials have been found in the pericardium of cows. I have seen hairpins, horsenails, needles. Some writers suppose that needles frequently pass from the esophagus to the heart. Such an occurrence is quite possible, but my own experience, and that of other veterinarians in this country, points to the conclusion that the foreign body finds its way to the heart from the second stomach (reticulum), first of all piercing the wall of that viscus (organ) and the diaphragm, and being gradually drawn by the suction action of the heart into the pericardial sac, generally wounding some portion, commonly the apex of the heart itself. At present I need only state that in cases where a foreign body has been found inducing pericarditis (inflammation around the heart) its course from the second stomach through the diaphragm and mediastinum into the pericardium can be demonstrated post-mortem by the presence of a canal or opening, surrounded by walls of lymph, extending from the stomach to the heart, the foreign body itself lying in the canal, generally more or less eroded or worm-eaten by the action of the juices by which it is surrounded. Sometimes, however, the foreign body, particularly if a substance, such as a needle, which soon rusts, is worn down to a mere fragment, or, in some instances, has entirely disappeared by chemical decomposition. In other instances it has been found in the cavities of the heart itself.

Steel, in his Diseases of the Ox, mentions traumatic heart disease as a rather frequent occurrence. He finds hairpins, knitting needles, and nails as a cause. Gamgee described as the cause of a fatal case of traumatic heart disease a "pomegranate prickle" a little over an inch long and as thick as a writing quill which after death was found lodged in one of the cavities of the heart.

Although cattle swallow a great variety of objects, it is the pointed, slender, metallic ones, such as pieces of wire, hairpins, etc., which do most harm.[1]

M. Boizy states that the presence of a foreign body when it is the cause of pericarditis may be diagnosed with great certainty. Certain symptoms are common to both simple and traumatic pericarditis, the

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[1] It is a common practice among the maw cleaners at the stock yards in Chicago to collect as curiosities all foreign bodies which are found in the stomachs. Mr. J. B. Sine, an employee of the Bureau of Animal Industry at Chicago, made a collection of articles which were said to have been taken from the stomachs of cattle slaughtered for beef, and loaned them to the Bureau as an exhibit for the Columbian Exposition. The following is a partial list of the articles exhibited: A large jackknife, a silver watch chain, a silver dollar, several smaller coins, numerous metal hairpins, buttons, suspender buckles, Masonic emblem, several pieces of scrap iron, some flat and others round and bent, several very large nails and many of the smaller sizes.

latter being the form usually caused by foreign bodies. In both forms the pulse is feeble. There is venous pulsation, and œdema (dropsy) of the dewlap.

The only certain differential symptoms are the peculiar character of the heart sounds and the eructation of gas.

In the simple form the gurgling sound is heard with extreme difficulty.

In the traumatic form it is easily heard, and has a rushing, gurgling character, resembling the sound produced by the plunging of butter in a churn. If the noise be feeble increased exercise will increase it, making it plainly audible.

Simple pericarditis is comparatively rare. In it there is no marked eructation of gas.

To show the differences in the post-mortem appearances in herds which are on pastures favorable to the production of the injuries under discussion and those herds which are not subjected to such influences, the following may be used as good illustrations:

HERD A.

Belongs to a large school for girls on the outskirts of a city. The cow pasture was used as a playground. Of 13 head of cattle killed on account of being affected with tuberculosis, all had lesions referable to the swallowing of pointed bodies. This is shown in the following summary in which the word "adhesion" means an inflammatory process which resulted in the binding together of the liver, second stomach, and diaphragm:

ADHESIONS.

No. 1. Abscess between liver and diaphragm. Extensive adhesion of lungs to chest wall of pericardium.
No. 2. Extensive adhesions only.
No. 3. Extensive adhesions with two abscesses containing a piece of wire and a hairpin.
No. 4. Slight adhesions only.
No. 5. Slight adhesions only.
No. 6. Extensive adhesions; also adhesions of lungs.
No. 7. Slight adhesions; also adhesions of lungs.
No. 8. Extensive adhesions. Large abscess attached to lungs contains a hairpin. Adhesion of pericardium to heart.
No. 9. Adhesion of lungs to each other and to chest wall.
No. 10. Extensive adhesions with abscesses; also adhesions in chest.
No. 11. Moderate adhesions with abscesses.
No. 12. Extensive adhesions with abscesses. One abscess contained hairpin.
No. 13. Extensive adhesions. Abscesses in liver.

HERD B.

Belongs to a large school for boys. Pasture large, not used for any other purpose. Of 28 animals killed on account of being affected with tuberculosis only one had adhesions about the second stomach.

It should be noticed that the diseased condition caused by the penetrating wires (chiefly hairpins in Herd A), was responsible also for quite extensive inflammation about the heart and lungs (pleuritis and pericarditis).

Other herds in the suburbs of a large city which were pastured on unfenced ground were found affected more or less like Herd A. Thus in one herd, of 10 head killed 4 were found affected with adhesions more or less extensive. Three of these also had abscesses.

In another herd, 4 were killed and 3 found affected. Of the latter 1 had abscesses in the liver, another a foul smelling abscess in the lungs.

In a third herd, 4 out of 11 showed the effects of having swallowed pointed bodies.

It might be claimed that in many of these cases permanent injury to the health of the affected cattle or to their productiveness could not result from the conditions noted above; but a second thought will convince any impartial reader that such a claim is quite erroneous. The severe inflammatory action resulting in the formation of abscesses about the second stomach, the binding of the liver and the second stomach to the diaphragm, the presence of foul abscesses in the liver and in the lungs, and the adhesions of the lungs must surely more or less reduce the vitality of the affected animal. More than this, the offending body often penetrates the heart wall itself, resulting in a hemorrhage which in many cases proves rapidly fatal.

A compilation of the number of cattle which have succumbed to traumatic disease due to the presence of foreign bodies would probably show a high mortality. Such cases have not infrequently come to our notice. The losses due to it throughout the whole country would, if they could be accurately calculated, make the subject appear worthy of close attention on the part of cattle owners. Many animals die suddenly and without apparent cause, and if all such were examined the cause of death in a large percentage of causes would probably be traced to the swallowing of pointed objects.

The frequency of certain traumatic diseases in cattle is thus due to the carelessness of the owners or the attendants of cattle. The milkmaid drops pins and hairpins, the workmen lose or throw away nails, and in removing wire from baled hay are indifferent as to what becomes of the small, broken pieces. The increased use of wire in the construction of fences and for telegraph and telephone lines, etc., leads to the scattering of small pieces along roads and on pastures.

Cows should not have access to rubbish heaps or to sweepings from buildings, for in these the dangerous objects lie concealed. Care should be taken that all pieces of wire are promptly placed beyond the reach of cattle. Throwing such things upon fenced or unfenced pastures should be studiously avoided. This is a disease without any promise of a cure, but is one for which even the least intelligent can practice daily prevention without any material expenditure or extra labor.

PRELIMINARY INVESTIGATIONS OF UNKNOWN DISEASES IN TURKEYS.

WASHINGTON, D. C., *September 3, 1894.*

SIR: I respectfully submit the following report on certain unknown diseases of turkeys, investigated by me at Kingston, R. I., in accordance with your instructions.

Very respectfully,

THEOBALD SMITH.

Hon. J. STERLING MORTON,
Secretary of Agriculture.

Specimens sent during the past year by Mr. Samuel Cushman, poultry manager of the Rhode Island Agricultural Experiment Station, had been previously studied by me, and certain preliminary conclusions reached which were fully confirmed and extended in the course of the work in Rhode Island. The same gentleman, through his acquaintance with the territory about Kingston, succeeded in furnishing me with plenty of material for investigation, hence little time was consumed by me personally outside of the improvised laboratory, excepting what I deemed necessary in collecting information concerning certain features of the disease under observation.

I was enabled to examine, in all, fifty turkeys of different ages, only a few of which were dead before they came into my hands. A few were purchased because they showed scarcely any signs of disease during life. Only two or three were chosen from a flock, hence our material came from a considerable number of flocks spread over a wide territory. The prominence of Block Island as a rearing place for turkeys made it desirable to get some animals from this island as well as from the mainland. Several turkeys were received from Fishers Island, N. Y. (near New London, Conn.).

Besides the living animals, I examined the entrails of about twenty-five turkeys dressed for the market by a dealer living some 5 or 6 miles from Kingston, R. I.

The immediate outcome of this investigation, extending over a period of three weeks, was the determination of two diseases probably infectious in character:

(1) A cæcal and a liver disease, caused by minute animal organisms (protozoa).

(2) A diphtheritic disease of the cæca, probably due to bacteria.

Besides these diseases, numerous tapeworms were found in many of the animals, which could not but be injurious to the birds, especially at an early age, and which might be safely regarded as a third cause of disease and death.

The first disease is the most serious and the one found most frequently. It is a slowly progressive disease, somewhat akin to tuberculosis (with which this disease has been frequently confounded, I am told). Its traces are found at all ages, some birds dying when 3 months old or at a younger age, others living until the fattening period, before the fall and winter holidays. It is probable that the disease begins at an early age, and that the time of death depends on a variety of accessory, unfavorable conditions.

No definite information was obtained concerning the ways in which turkeys contract this disease, because the time was too limited for me to study the development of this slow disease. This part of the work can be carried on here without any undue loss of time.

Though I was authorized to visit Connecticut and Massachusetts, I did not deem it best to spend any time in these States as long as the means for investigation at the Rhode Island Experiment Station were so favorable. It is highly probable that the disease prevails in Connecticut. It exists in Massachusetts, for I was able to demonstrate it in a turkey but 3 or 4 weeks old while studying the pseudo-tuberculosis of sheep in Berkshire County, Mass., in June, 1894. It appeared of more importance to determine the presence or absence of this disease in territories at some distance from such an infected center as Rhode Island. Inasmuch as the States bordering on the district are said to contain many flocks of turkeys, it would be of importance to determine whether or not the disease exists in them. If it does not, or if a territory free from this disease can be found anywhere, the New England people should be advised to destroy their flocks and begin over again with animals from States not infected.

Further investigations are therefore required to determine—

(1) The distribution of the disease over the United States.

(2) The mode of infection of turkeys, whether direct, i. e., from one to another, or indirect, through insects or other still unknown agencies.

(3) Some knowledge of the life history of the protozoan parasite, its destructibility by drying, disinfectants, etc.

Owing to the peculiar nature of the malady, the use of remedies to check or abort the disease does not appear very promising. I am inclined to think that eradication of the disease by destruction of flocks that are infected, thorough disinfection, and restocking from noninfected localities will be in the end successful. These suggestions may, of course, require revision as the investigation progresses.

BLACK QUARTER.

By D. E. SALMON, D. V. M.,
Chief of Bureau of Animal Industry, U. S. Department of Agriculture.

Black quarter is a disease which is also known by the names "black leg," "quarter ill," and "symptomatic anthrax." It is caused by bacilli, which multiply locally, or, in some cases, also, in the interior of the body. The multiplication of these germs leads to extensive alterations of the parts affected, and is accompanied by the formation of gas, which distends the tissues and causes a crackling sound when the swellings are pressed upon. The disease is usually fatal in its results.

GENERAL CHARACTERS AND CAUSE.

Black quarter has until recent years been described as of the same nature as anthrax, and was considered to be a form of that disease. For this reason it is still referred to by some writers as symptomatic anthrax. It has been known, however, for a long time that it does not spread by contagion, and that the meat of affected animals might be consumed by man or by carnivorous animals without causing the appearance of the disease in man. This fact indicated a great difference between black quarter and anthrax, as the latter is deadly to man or animals which consume the meat from affected carcasses. Observations and experiments made by Walraff in 1856, Pfisterer in 1870, Feser in 1860 and 1875, and still later by Bollinger, Arloing, Cornevin, and Thomas, and Kitt and Kitasato, have clearly established the characters and nature of the disease.

It has been shown that black quarter is a bacterial disease of cattle which is enzootic in certain districts where it remains and affects animals year after year. Its existence appears to depend considerably upon the character of the soil. There are stables and pastures in some sections of the world, particularly in the Alps, where this disease occurs during the whole year, but it is seen principally during the warm season of summer and fall. It is most common on swampy or wet lands, or those which contain a large proportion of organic matter.

It most commonly affects cattle from 1 to 2 years old, and is usually confined to those from 6 months to 4 years old, although in rare cases it may affect calves or old cattle. Calves are less susceptible than older animals, as has been shown by experimental inoculation, which partly accounts for their freedom from the affection, but while feeding upon milk they are less exposed to the contagion than when grazing. Both factors, therefore, operate for their protection.

The old cattle which have been raised in a region infected with black quarter are supposed to be immune because they have had a mild attack of the disease during their growth and they in that way become insusceptible. It is known that one attack confers immunity in every case.

The disease is easily inoculated with cattle and sheep, and to a less extent with goats. Sheep and goats are said to contract the disease spontaneously, as well as cattle. Guinea pigs are very susceptible. When horses, asses, and white rats are inoculated the only result is a local swelling, which in time disappears. Some animals enjoy a natural immunity from this contagion, and inoculation with them produces no results. Among these may be mentioned swine, dogs, cats, rabbits, and black rats. Man is also unaffected by this bacillus. There appears to be some doubt as to whether horses contract this disease, although recently one or two observations have been recorded which indicate that the horse is sometimes affected.

The bacillus of black quarter is anaerobic; that is, it is unable to multiply in the presence of oxygen. When in the soil where it does not come in contact with the air, or in the tissues of an animal, or in culture liquids, protected from oxygen, it develops rapidly, and produces considerable quantities of gas. The germs are motile in liquids, and have at one of their extremities a spore which causes an enlarged end. They are found in abundance in affected tissues, the bile, and the intestinal contents. They are seldom found in the blood, and inoculations made with this liquid usually produce no effect.

On account of the formation of spores in the bacilli the contagion has great powers of resistance and is preserved for a long time under the various atmospheric conditions to which it is likely to be subjected.

The strongest disinfectants are required to insure the destruction of the germs. For this purpose bichloride of mercury (corrosive sublimate), one part to a thousand of water, or a 5 per cent solution of carbolic acid may be used. It should be remembered, however, that these solutions, particularly the former, are very poisonous, and care must be observed to prevent injury to people or to animals.

It is supposed that animals are always infected through sores or wounds of the skin or mucous membranes. These injuries must be deep enough to reach the connective tissue or these bacilli are unable to multiply. In the skin and mucous membranes there is too much oxygen to allow their growth, but when they reach the connective tissue beneath these organs they find a situation that is favorable. Animals, therefore, appear to be infected through wounds received in pastures, either by stubbles or briars which break the skin of the limbs or by hard and sharp substances which puncture the mucous membrane of the mouth during mastication. These injuries become infected by earth or dust containing the germs coming in contact with them. The symptoms of the disease appear in from one to five days after infection, the average being about two days.

SYMPTOMS.

Black quarter is characterized by both local and general symptoms. The general symptoms are those of fever. Locally there appears a tumor, which is at first a small, warm, and tender swelling that extends rapidly and may cover a large surface of the body, and which, when lightly pressed upon, gives out a crackling or crepitating sound, due to the gas which it contains. For the same reason it is resonant on percussion.

Following the development of the swelling there also appears a secondary enlargement of the nearest lymphatic glands. If the muscles of one of the limbs are affected, which is usually the case, there is more or less lameness, according to the location of the tumor. The disease

progresses rapidly and generally terminates fatally in from twenty-four hours to three days.

The swelling due to the local multiplication of the germs of this disease may appear in various parts of the body, most frequently on the thigh, the neck, the loin, or the croup. It is never seen below the knee or the hock. Very soon the central portion becomes cold, insensible, and the skin over it is dry and gangrenous. If cut into at this time very little pain is caused, and there escapes a dark-red, frothy liquid, which has a peculiar, unpleasant odor. Usually but one tumor appears. Sometimes, however, several develop, which may by their enlargement become united into one.

The most prominent of the general symptoms are sudden loss of appetite, suspension of rumination, with great prostration, weakness, and high temperature of the body. The lameness may vary from a slight irregularity in the walk to complete paralysis of the limb. As the disease progresses there is trembling of the muscles and difficulty of breathing. Occasionally there are violent colics.

APPEARANCE AFTER DEATH.

The skin over the swelling is affected with dry gangrene. The connective tissue beneath the skin is infiltrated with blood and bloody serum, and is distended with gas. The affected muscles are dark brown or black, they are easily torn, and the spaces surrounding them are filled with bloody liquid and gas. The color is deepest at the center, shading off toward the edges; when opened the color becomes brighter by contact with the air. By compression thick blood escapes, which is charged with gas and has a disagreeable odor. The gas of the tumor is combustible and burns with a blue flame, being, according to Bollinger, carbureted hydrogen. The abdominal cavity sometimes contains a considerable quantity of bloody effusion. The mucous membrane of the intestines may be congested or inflamed and the contents of the bowels covered with blood. The liver is congested, but the spleen is usually normal. The flesh decomposes rapidly, and the carcass is soon greatly swollen by the accumulation of gas under the skin and in the body cavities.

It is sometimes desirable to determine whether an animal is affected with black quarter or with an anthrax tumor, or with a swelling caused by the bacillus of malignant œdema. The anthrax tumor may be distinguished by the hardness and solidity of the tumor, and the fact that it contains no gas. The spleen is enlarged in anthrax, and is unaffected in black quarter. It is difficult to distinguish between the swelling of black quarter and malignant œdema. They resemble each other very closely, and both are distended with gas. Malignant œdema generally starts from a wound of considerable size. It often follows surgical operations, and does not usually follow from the small abrasions and pricks to which animals are subjected in pastures.

TREATMENT.

As this disease is usually contracted on infected pastures, the cattle should be changed to other parts of the farm when it appears among them.[1]

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[1] Pastures have been know to produce the disease year after year until plowed up and tilled for several years, after which no further cases occurred when the land was sown to grass.

The carcasses of those that die should be either burned or deeply buried and covered with fresh lime in order to hasten their destruction.

The stables in which sick animals have been kept should be thoroughly disinfected. To accomplish this they should be cleaned as thoroughly as possible with the ordinary stable implements, and then scrubbed with a 5 per cent solution of carbolic acid; afterwards the walls should be whitewashed.

The treatment of diseased animals usually has little effect and nearly all die. When attempted, the most promising measures are, first, to make large incisions into the tumors to allow the liquids to escape, and then to treat the wounds with a solution of carbolic acid. Internally give spirits of turpentine in doses of 1 to 2 ounces. This should be shaken up with oil or beaten up with eggs in order to protect the mucous membranes of the mouth and throat from its irritating effects.

As the animals in the best condition are most susceptible to this disease, attempts at prevention have been made with considerable success by reducing the condition of the animal in various ways. When the disease breaks out among a lot of young cattle some owners bleed all those which remain well, and repeat this bleeding two or three times. Others put a seton in the dewlap, which sets up a discharge and in that way reduces the condition. Still others give diuretics and laxatives to reach the same result. The remedies most frequently given are nitrate of potash, sulphate of soda, epsom salts, sulphur, and lime. A mixture much used in the West, and which is usually successful, is composed of 10 pounds of sulphur, 6 pounds of copperas, 3 pounds of saltpeter, and 3 pounds of air-slaked lime. Pulverize and mix and use in the salt trough in the proportion of a pint of mixture to a gallon of salt.

Vaccination as a preventive has of late years been adopted in many countries, and appears to be quite successful. The vaccine is prepared by drying pieces of the muscle taken from the tumor of an affected animal and afterwards heating it for a definite time at a temperature of from 85 to 100 degrees C., according to the strength of the vaccine required. The dry vaccine may be preserved for a long time, and before being used is mixed with water and filtered. It is then injected under the skin of the tail with a hypodermic syringe. The dose and operation vary somewhat, according to the preparation used, and full directions should consequently be obtained from the manufacturers before any cattle are vaccinated.

ACTINOMYCOSIS OR LUMPY JAW.

By D. E. Salmon, D. V. M.,
Chief of Bureau of Animal Industry, U. S. Department of Agriculture.

This disease, which was formerly known by veterinarians as *osteosarcoma*, is an infectious disease of cattle, which may also attack other animals and man. It is caused by a fungus called the actinomyces bovis, which generally leads to the development of tumors about the head or neck, and which may in addition attack the lungs or other internal organs. The disease was known as wooden tongue when it affected this organ, because it increased the size and made the flesh very hard, like a piece of wood. The changes produced in the lungs were not looked upon as of the same nature as the tumors of the head until after the discovery of the actinomyces fungus. In this situation it was probably often thought to be tuberculosis. The fungus was probably first seen in 1860 by Perroncito and Rivolta. It was also observed in 1870 by Hahn. Bollinger was the first to carefully study the germ and give an exact description of it, and to demonstrate its effects in the production of the disease. This he did in 1877.

The fungus was studied botanically by Harz, who gave it the name of actinomyces or ray fungus. Since then the disease has received much attention and investigation, and has been studied with special care by Israel, Ponfick, Boström, and Wolff.

Causation.—The tumors and abscesses of this disease, wherever they are situated, are found by microscopic investigation to originate from the presence of the actinomyces. On opening these different lesions, a careful examination with the naked eye or with a hand lens will often reveal minute granules, which vary from a very light yellow to a sulphur yellow color. They may be abundant or they may be very scarce, and are found both in the soft tissue of the tumor and in the pus of the abscesses.

When these granules are separated and examined they appear as small globular masses about one-fiftieth of an inch in diameter. If they are crushed and examined under a microscope their outer portion is seen to be made up of club-shaped bodies, radiating from the center of the mass and making a body of the shape of a rosette. The interior of the rosette is found to be made up of very fine filaments, which probably connect with the club-shaped bodies. If the preparation is treated with a dilute solution of caustic soda or potash, this brings out the structure of the bodies more clearly. In some cases there is a deposit of mineral salts which obscure the structure of the granules, and in that case the examination is facilitated by treating them with weak acetic acid, which dissolves the lime salts and increases the transparency.

When these rosette-shaped bodies, or minute fungi, gain an entrance into the tissues and multiply there they set up an irritation which develops into inflammation, and leads to the formation of swellings and

abscesses. After having begun to multiply in the tissues there appears to be no limit to their increase, and consequently the tumors continue to enlarge and the discharge of pus to increase until the strength of the animal is exhausted, and death results from this cause.

The exact nature of the parasite and its place in a systematic classification appears not to have been settled by botanical investigators. Some have considered it a true fungus, while others place it with the higher bacteria. This fungus grows in nature upon various plants, particularly upon the heads of barley and other grains, and probably also upon a variety of grasses. The beards and straw of the affected plants contain the parasite, and when these puncture the skin, or the mucous membranes, the fungus is introduced, and the disease starts from this point of inoculation.

While the actinomyces may penetrate the tissues in various parts of the body, they generally enter through the mucous membrane of the mouth. When the animals eat the plants upon which the fungus is growing the mucous membrane may be punctured by sharp woody pieces or these may gain lodgment at the side of a tooth. When once introduced into the tissues they continue to grow and invade the neighboring parts. A favorite place for the multiplication of the germ is the connective tissue beneath the skin of the jaw. In European countries it very frequently affects the tongue, but in the United States this form of disease appears to be rare. The fungus may also reach the lungs and multiply there, but the manner in which it gains access to these organs is not definitely known. It is found, however, that a considerable proportion of the animals which have the tumors on the jaw also have disease of the lungs, particularly if these discharge pus into the mouth. In rare cases the fungus appears to gain entrance to the interior of the blood vessels, when it is carried throughout the body with the blood, and the diseased process is found progressing in a considerable number of organs. In this case it is said to be generalized. The fungus is also said to penetrate the body through the orifices of the teats, and in this case it sets up an inflammation of the udder.

There has been considerable difference of opinion about the inoculability of actinomyces, and many investigators who have made experiments to transmit the disease from one animal to another have failed. It appears to be difficult or impossible to produce it in an active form by inoculation with the discharges from the swellings or abscesses. It may, however, be transmitted by inoculation if pieces of the diseased tissues are introduced beneath the skin or in the abdominal cavity of healthy animals. This fact would appear to indicate that the fungus is most virulent when it is growing upon some solid substratum, such as the tissues of animals or plants.

Symptoms.—The presence of actinomycosis is generally made apparent by a swelling in locations where it may be readily seen and examined. When the tongue is affected the animal finds it difficult to eat, the tongue is swollen painfully, and in the advanced cases hangs from the mouth with abundant salivation. When the pharynx is affected there is difficulty of swallowing, and when the larynx is involved there is a difficulty of breathing. Most frequently in this country the tumor is seen on the external surface of the jaw. It usually begins in the connective tissue beneath the skin, but soon extends to the bone, which it penetrates, causing this to become thickened and porous. The swelling is at first hard, but later it softens and an abscess forms in the interior which generally opens on the external surface of the body, but may also form a channel into the mouth.

The newly formed tissue of the tumor increases in amount until it gradually forces its way through the opening, and projects from this in the shape of a mushroom, being constricted by the small aperture in the skin. The swelling may increase in size until it reaches 6 to 10 inches in diameter.

In some cases the disease begins in the interior of the bone, the fungus having entered through the alveolus of a tooth, but the process of development is the same as when it first lodges in the soft tissues. The tumors which have reached an advanced stage of development present a large raw surface of newly formed tissue which is covered with pus that escapes from numerous channels and constantly drops from the diseased mass. Such tumers may appear on either the lower or upper jaw, or on other parts of the head or neck. When the lungs are affected there may be no visible symptom, or there may be a cough and loss of flesh, as in other chronic lung diseases.

In England the disease appears to be most generally localized in the tongue; in Denmark the soft parts of the head are oftenest affected, while in some parts of Germany it is most frequently seen as a swelling of the pharynx. In this country, as is well known, it most frequently attacks the lower jaw.

Cruikshank mentions the case of a bull in England in which the skin of the flank became extensively diseased, and this process extended to the scrotum. The skin was covered with a leathery crust and its vitality destroyed. When pieces of this dead skin were pulled away pus was seen beneath it, penetrating into the connective tissue, and the yellow fungi could be easily made out. In certain cases the disease may be found in the stomach, intestines, the mesenteric and bronchial glands, and in the various, bones, joints, and muscles.

The diagnosis of the large tumors on the head and neck is generally easy, as their location and appearance is in most cases sufficient for this purpose. In case of doubt, a microscopic examination of the discharge or of the tissue from the tumor must be made in order to determine if the fungus exists. When found in the lungs and other parts of the body the appearances resemble somewhat those seen in cases of tuberculosis, and the determination of the nature of the disease turns upon the presence or absence of the actinomyces fungus.

Prognosis.—The disease is usually chronic and of slow development, but it tends to advance until a fatal termination is reached. A very small proportion of the cases may recover spontaneously, the tumors being encysted or undergoing calcification. In most cases the disease yields readily to proper treatment, and about 75 per cent of the affected animals may be cured.

Treatment.—For a long time the only satisfactory treatment for actinomycosis was to remove the tumors by a surgical operation and treat the wound thus made with strong solutions of iodine. Many cases, particularly in the early stages, were cured in this way, but when the bones of the jaw, or the lungs or other internal organs were affected, they were beyond reach of this treatment.

About 1885 Thomassen, of Utrecht, recommended the use of iodide of potassium given internally as a cure for actinomycosis of the tongue. Between that time and 1883 he treated 80 cases, all of which were cured. Nocard called attention to this treatment in March, 1892, having used it successfully on a number of cases of the tongue disease. Norgaard, of the Bureau of Animal Industry, appears to have been the first to succeed with this treatment in the disease as it affects the jaws. In April, 1892, he treated a steer with a tumor on the jaw, measuring 15½ inches

in circumference, from which there was an abundant purulent discharge. This steer was entirely cured. The Bureau of Animal Industry afterwards purchased and treated 185 head of affected animals in all stages of the disease, and cured 131 of them, or about 71 per cent. In most of these cases, after treatment was finished, there was only a bunch of fibrous tissue to show where the tumor had been.

The iodide of potassium is given in doses of from 1½ to 2½ drams once a day, dissolved in water, and administered as a drench. The dose should vary somewhat with the size of the animal and with the effects that are produced. If the dose is sufficiently large there appear signs of iodism in the course of a week or ten days. The skin becomes scurfy, there is weeping from the eyes, catarrh of the nose, and loss of appetite. When these symptoms appear the medicine may be suspended for a few days and afterwards resumed in the same dose. The cure requires from three to six weeks' treatment. Some animals do not improve under the treatment with iodide of potassium, and these are generally the ones which show no signs of iodism.

If there is no sign of improvement after the animals have been treated four or five weeks, and the medicine has been given in as large doses as appear desirable, it is an indication that the particular animal is not susceptible to the curative effects of the drug, and the treatment may therefore be abandoned.

It is not, however, advisable to administer iodide of potassium to milch cows, as it will considerably reduce the milk secretion or stop it altogether. Furthermore, a great part of the drug is excreted through the milk, making it unfit for use. It should not be given to animals in advanced pregnancy, as there is danger of producing abortion.

Sanitary considerations.—The contagiousness of the disease under natural conditions is contested by the best authorities. It is plain, however, that the fungus is scattered over the pastures by the affected animals, particularly if there is a discharging tumor or abscess, and the infectious principle is perpetuated in this way. It is wise, therefore, to keep or dispose of affected animals as soon as the nature of the disease can be determined. In this way it appears that the fungus may be eradicated from the pastures, at least to a considerable extent, and the cause of infection removed.

It is not known that people can contract this disease from eating infected meat. Cases of it have been observed in man, but the individuals appear to have become infected in the same way that cattle do, by chewing grain or straw in which the fungus was growing. When the tumors in the carcass are small, not larger than the size of a walnut, and not generalized, the affected parts should be destroyed and the remainder may be used for human food. When, however, the disease is sufficiently developed to cause large swellings and abscesses which are freely discharging pus, and when the general health of the animal is affected, the carcass should be condemned, as the meat is not in a proper condition for food. The carcass should also be destroyed when the lungs or internal lymphatic glands are affected, or when there are a large number of centers of disease scattered throughout the body.

AUSTRALASIAN MEAT TRADE.

[Prepared by A. & M. Reynolds, Balmain, New South Wales, September 3, 1894.]

Australasia, as the seven colonies of Australia, New Zealand, and Tasmania are called, is specially anxious at the present time about disposing of her immense surplus stock to advantage. Her activity in this direction should interest Americans, because when she gets that trade into full swing Americans will find her a formidable competitor for the meat markets of England or any other country that consumes more than it produces. It may be said in starting that there is scarcely need to deal with the technical aspects of the industry, because Australasia has so far kept pretty well to the same methods as are followed in America—such as the systems of refrigeration, etc. The different conditions of the Australasian trade—for instance, that of having to ship the meat four or five times farther by water than Americans have to in order to reach the European markets—will no doubt give rise to many variations from American practice.

A NATIONAL MATTER.

Already the subject is receiving the keen attention of all classes in Australasia, from the university professor of physics to the back-country "boundary rider;" and the considerable space devoted to the subject by the leading daily papers and by the modest country ones is evidence of the general interest aroused. The financial and commercial troubles that came to a head in Australia in 1893 have caused more muscle and brain than heretofore to be devoted to developing the agricultural resources, and no doubt the present activity is partly due to that, but the large surplus of stock for disposal is the main cause. The prospects of nearly every possible foreign market have been inquired into on the spot by members of government, commissioners sent by the government, and representatives of large business firms. For instance, the government of New South Wales commissioned their chief inspector of stock to inquire into the openings for trade in Europe, and Victoria fitted out two delegates with samples of various products and sent them to India, China, and Japan to endeavor to open up markets there. In fact, the question is regarded somewhat as a national one, and the governments are not slow to encourage the industry in other ways—by erecting cold-storage buildings and in some cases giving bonuses. It has even happened that local agents have advised the European firms they represent to take up the establishment of cold-storage depots for receiving Australasian fresh meat. Several of the large meat-exporting companies already in existence are largely increasing their strength, while new ones are being projected. One of these is encouraged and supported by many of the principal finance and agency companies and banks; and as it aims at giving the profits to the producers themselves, by securing the cooperation of the producers as shareholders, it bids fair to succeed.

INFLUENCE ON SHEEP BREEDING.

A marked feature of the last of the large annual sales of stud sheep in Australia was the number of long-wooled sheep offered from New Zealand and the prices given, the demand being due to the increased attention given in Australia to raising crossbreeds for the meat market. The mass of literature on how best to breed for that purpose corresponds with the business activity; and, of course, an important question in Australia, with its immense merino flocks, is how best to utilize the merino by crossing, etc. The dairying industry has taught these colonies that the tastes of the consumers must be consulted and supplied with the best quality. Especially in the past, the lean and small-sized merino did not find favor with the English consumer, but this prejudice is passing away, and probably the improvement in the quality of the merino meat is some reason for this, because the meat is now being killed and chilled near the pasture grounds and then railed to the shipping depot, whereas formerly the sheep were often traveled long distances on foot and by rail before being slaughtered and frozen at the shipping port. However, the higher prices given for the first-class crossbreeds, such as New Zealand exports, are sufficient to induce Australian squatters who live in suitable districts to purchase New Zealand long-wooled sheep for breeding purposes.

METHODS OF EXPORT.

This activity in the matter of markets and breeding is being well seconded by the attention given to ascertaining the best methods for exporting. An important illustration of this has lately occurred at Sydney, the capital of New South Wales, which is the oldest settled of the Australasian colonies. At the site of that city were landed the first few head of cattle and sheep brought to Australasia one hundred and six years ago; from its port the first frozen meat from that part of the world was exported about fourteen years ago; and now thence have been sent to England the first commercial consignments of chilled meat and live cattle and sheep. Two large steamers, the *Maori King* and the *Port Pirie*, which left Sydney for London in July and August last, respectively took each among their cargo a score of live cattle, which were housed on the deck. The latter boat also took a consignment of live sheep and about 1,000 quarters of chilled beef, which, according to reports, was chilled to 35° on shore and on board to $28\frac{3}{4}$°; and this temperature would be maintained uniform throughout the voyage by means of the Linde machine in conjunction with the thermostat invented by Dr. Shiels, of Edinburgh. These tests or experimental shipments may not at first sight appear of much importance to Americans, with their export trade in meat already so well established; but if they prove a success it will mean increased competition with America and more wealth for Australia. Hitherto Australasian fresh meat has been exported in the frozen state only, and the injurious effect of that process on the meat, especially under the present methods of thawing, are such that its value in England is said to be $1\frac{1}{2}$ to 2d. per pound less than chilled meat. Those who have seen the bright, rich meat in Australia hardly recognize in London the thawed article, as it has lost so much of its natural bloom, relaxed so in form, and "weeped" or bled out so much of its juices. These defects have, it is asserted, been aggravated by some unscrupulous English traders, who sell the best of the Australian meat as English and palm off inferior quality as Australian. No doubt a combination of these causes is largely responsible for the

demand not being up to what might reasonably be expected and what it is required to be in order to absorb the bulk of the numerous stock avaliable for disposal. A leader in the movement, well supported in his sanguine hopes of the successful export of chilled and live meat, is Mr. I. H. Geddes, a Sydney merchant who has lately visited Europe and America to inquire into the industry. There are, of course, some who do not consider that the export of live cattle will become an established industry. They urge that the voyage of 12,000 miles by sea to England is too far, especially as the Australasian cattle are grass fed, and therefore will not keep up sufficient condition. Others are just as enthusiastic in support of live export, and are advocating a more complete test by sending a shipload of about 900 head in a modern cattle boat.

BOILING DOWN.

One of the first results of the low prices for fine merino wool and the depreciations caused by freezing in the value and demand for Australasian meat has been that the squatters have adopted boiling down for tallow in order to some extent reduce the surplus sheep. This is, no doubt, a rather strange expedient in these days, but it saved the Australian pastoralists from general ruin half a century back. The increase during the last few years in the number of establishments for boiling down has been marked. For instance, two of the colonies (New South Wales and Queensland) between them increased in the six years ended in 1892, the annual production of tallow by 333,500 cwt., and it has in one year so much further increased that during the year 1893 3,333,000 sheep were boiled down in New South Wales for tallow, and more than 1,000,000 in Queensland, and this number is nearly equal to the whole number slaughtered in that colony during the previous year for all purposes and markets, and many a vessel that a few years ago carried from Australia bales of the golden fleece now takes tallow instead.

MEAT PRESERVING.

Meat preserving is, of course, a preferable method for disposing of the surplus stock. In fact, there has been a rapid increase in the output of preserved meats, especially in Queensland. That colony, during 1892, preserved nearly 5,000,000 pounds of beef and mutton. Inland and seaboard companies in New South Wales, between them, consumed last year 964,500 sheep for meat preserving, and the whole of Australia exported in 1892 22,500,000 pounds of meat, mostly preserved but partly salted. The quality and general get-up of the preserved meat have received special attention. Already large European and other foreign orders have been supplied, and in such a satisfactory way as to have gained renewed orders for larger quantities of potted meats.

These facts certainly indicate a remarkable growth and push in trade; but the greatest hopes are centered in the increase of the export of fresh meat. As experts affirm that the freezing has in the past been too hard, the efforts already mentioned are being made to substitute chilling on American lines; for although slightly more costly for freight on account of the greater space taken up, it will mean, if the prices of chilled meat are maintained, a considerable profit on present methods.

NEW INVENTIONS.

Apparently, Australians will not be slow in their endeavors to discover other methods of remedying the present drawback to the export of fresh meat. New processes are already announced for thawing the frozen

meat in such a way that it may not lose its natural looks and qualities. A patent of a different kind has lately been announced in Sydney which, according to the tests so far made, may turn out to be valuable. The carcasses of the sheep are exposed for three or four hours to innoxious fumes, which slightly darken the flesh, making it smack somewhat of bacon in its raw state, but when cooked is hardly distinguishable from ordinary mutton. After that short treatment it will, it is claimed, remain fresh for twelve months exposed to the ordinary temperature. Some of the sheep have been shipped as deck cargo to New Caledonia and approved of by the French military authorities. The process is a trade secret, and has not yet been floated into a company. It is much cheaper than chilling and causes only a slight decrease in the weight of a carcass. But the patent has yet to be submitted to the test of keen competition with other methods.

STATISTICS.

A brief consideration of the following figures will indicate how great the possibilities are of a large increase in the quantity of meat exported from Australasia:

Mutton trade.—North and South America carry a population of something more than 125,500,000 inhabitants and about 143,500,000 sheep, while Australasia has a population even less than 4,000,000, and yet carries nearly 122,000,000 sheep, valued at £39,784,000. Although Australians are credited with being the largest eaters of meat, they have no intention of consuming their numerous flocks; they want to dispose of them to less fortunate people. In fact, Australasia has for disposal every year, after supplying local wants, several million head of sheep of such an age that it will pay better to slaughter than to keep them for breeding or for bearing wool. The number of these casts or culls, as they are called, has been variously estimated, and at present they are far from being used up quickly and profitably enough. There is, therefore, plenty of scope for expansion of trade merely in using up this large surplus of casts; but even they form but a small proportion of the immense flocks that would be available for disposal if demands were satisfactory. But what are the future prospects of trade, if we accept the estimate of the government statistician of New South Wales, that Australasia can carry about 126,000,000 of sheep in addition to the 122,000,000 she now has? In order to understand with what rapidity the export of frozen meat has grown, it is only necessary to state that the first shipment was made in 1880, when 555 carcasses of mutton and 60 of beef were sent to England, while during 1892 New Zealand exported frozen meat (beef and mutton) to the value of £1,113,692, Queensland to the value of £374,922, and New South Wales to the value of £282,102. Although the last-mentioned colony carries 58,000,000 out of the 122,000,000 of sheep in Australasia, and was the first of those colonies to export the frozen article, because of its wool industry being so flourishing and for other minor reasons, the bulk of the meat trade passed to New Zealand, enabling it to recover its prosperity after a long period of chronic depression, and to support at the present time about twenty freezing establishments, capable of treating 4,000,000 sheep per annum.

Beef trade.—All the colonies are more or less interested in the cattle trade; but none more than Queensland, which carries more than half of the 12,333,000 head of cattle in Australasia, valued at £57,000,000. Its prosperity, therefore, largely depends on the pastoral industry; and when the export trade sprang into existence the somewhat gloomy

outlook for stock raisers speedily brightened. Now, the export of beef in various forms is a thriving industry, some idea of which has been already given in this article. It remains here to be remarked that the amount of beef and mutton exported from Queensland in 1889 was 7,500,000 pounds, while in 1892 it was nearly 18,000,000 pounds of beef, or 23,500,000 pounds of frozen and preserved mutton and beef. Again, in 1893 the amount of beef and mutton preserved and frozen in Queensland was 35,888,532 pounds, or of beef and mutton 40,500,000 pounds, or over 39,000,000 pounds more than were preserved or frozen per annum eight years previously.

MISCELLANEOUS NOTES.

THE FLORIDA "HORSE-LEECH."

In August last a package was received by the Bureau of Animal Industry from Mr. J. J. Thompson, of Arredonda, Fla., containing a section taken from a horse afflicted by what is known in that State as "leeches." The disease, if such it can be called, has been noticed in previous annual reports of the Bureau, but up to this time no investigation has been made to determine its cause. This particular specimen was forwarded during the hottest season of the year in a simple wooden box, without precautions having been taken for its preservation. The chief of the pathological division was absent at the time of its arrival, and on his return he found it swarming with maggots—in a condition, indeed, which precluded any possibility of an examination. In his reply to the communication of Mr. Thompson, Dr. Smith stated that about two years ago a veterinarian from Florida brought him some diseased tissue taken from a horse in Florida, which had been preserved in alcohol. A very cursory examination at that time gave him the impression that the disease was not due to a "leech," but to a fungus perhaps similar to actinomycosis and the "madura foot" of India. The fungus spreads through the tissue, and the mycelium, becoming incrusted with lime salts, forms the "leech" described by the correspondent as without life and organs. There is a peculiar disease of cattle on Guadalupe Island which has been studied to some extent by French observers. According to their description it may be the same disease as "leeches" in horses in Florida.

The following is a copy of Mr. Thompson's letter:

SIR: I send you by Southern Express specimens of what are called in this State "leeches." They are unlike, in every particular, leeches found in water in other parts of the United States. They are of two forms. One has the shape of a grain of whole rice, with the hardness of stone; a person using a knife in cutting them out distinctly feels them. The hard grit causes the knife to become dull very rapidly. They are single and by two, three, and so on. I have seen them grown together in clusters not so large around but as long as the small finger, but these lengths are unusual. None are any larger than a grain of rice. The other form partakes of a gristly nature, from small particles the size of a large pin head up to those as large as a finger nail, flat, and of irregular shape. They attach themselves to no particular part of the horse, but generally the legs, and any part of the body—the belly, flanks, back, or mouth. When first discovered, a small speck of blood and water is seen, and the horse is thrown, tied, and the leech or leeches cut out. It may be one or a few. If the horse is neglected the leeches grow in number and the spot grows in size; if on the leg, generally up and down on that limb; if on the belly or side, it generally spreads around, making a shape of that of a saucer or plate and of that size, but before it gets that large they are taken up and the leeches cut out, or they kill the horse. It is seldom they attack or eat the leaders in the leg or in the intestines, confining their ravages to the flesh of the leg and the fleshy part of the belly, and when on the hip, thigh, or other thick flesh, they eat in an indefinite distance.

What this leech is, no man in Florida up to this date has ever been able to determine. Neither the unlearned nor the scientific have any knowledge of what it is or where it comes from. Our prairies have lakes and pools of water on them, and

horses go into the water to eat the grass. Sometimes they go so deep as to cover their backs with water. The most of the horses are attacked in the legs from the hock or knee to the fetlock, but generally between the hock or knee and ankle. The theory of some is that it is an insect that stings the horse which causes the leech to breed; yet all insects that sting and lay an egg not only lay one but very many eggs. Another theory is that the leech floats on the water and attaches itself to the horse, penetrates the skin, and goes to work on the flesh. The leech has no appearance of life whatever—has no legs, eyes, mouth, stomach or intestines, yet they eat and grow in numbers and spread through the flesh.

We live a few miles from Paynne's, Kanappaha, and Hogtown prairies, and many of the horses are driven to the horse lot, where the operation of cutting the leeches out is performed. Have had three horses operated on this summer, all in the legs; two of them were affected in the forelegs, and one in each of the hind legs. Two operations were successful; the other was so much eaten that it died the next day, after all the leeches had been cut out. In previous years we successfully cut one from the side of the belly that had spread as large as a saucer, and two that were attached to the gums. One fine horse, worth $200, was attacked where the tail joins the body. Threw it, and found that the leeches had penetrated 6 inches up over the hips in the flesh under the skin. It was a severe case, and while the knife was being used the poor horse suffered and groaned. The outward sign was small, yet the leeches had penetrated far up the back. Had it cut to such an extent that I thought the horse would die from the operation and loss of blood. I applied a hot iron to sear the wound where cut, and let the horse up. About three or four weeks after, he broke out up near the backbone, toward the loins. All the leeches had not been gotten out. If one remains it is enough to breed a new nest. Did not cut the horse any more, as it was too far gone, but gave it to a negro. The leeches afterwards killed it.

The only remedy that has ever been successful is the knife. Corrosive sublimate and other poisons that were thought to be useful were used, but without effect.

The name of this disease, "leeches," is local to Florida, and originated by knowing that the common long black leech was a native to water. You may have some other name for them. They have been known here for generations—from the earliest settlement of the country down to this time. They are not a great pest, and if stock raisers will keep close watch, which they generally do, they do no harm. When they are cut out and the animal recovers, the horse is turned out to run on the prairie again. The leech will not specially hunt the wound to make another attack. I do not know that I ever knew a horse to be attacked a second time in the same place, and do know of one horse that was "leeched" in sixteen different places on the legs and belly at one time.

Respectfully, J. J. THOMPSON.

Another correspondent writes from Inverness, Fla., under date of September 28, 1893, as follows:

SIR: Since my removal to this State (four years ago) my attention has been called to a disease of the horse which the citizens here do not seem to understand or to treat properly, and as I can get no information from any work that I have examined on the horse, I write hoping that an investigation by your Department may furnish some light.

Horses and colts that have been feeding in the waters of shallow lakes and muck-ponds, frequently have a sore to break out on the legs or lower portions of the body, which spreads rapidly and exudes a bloody serum. The sore resembles somewhat the bloody wart, but is entirely different—it spreads rapidly and grows deeper and will prove fatal unless promptly attended to. It is called here "leeches," but why I can not say. I have a colt that was attacked about May or June last, on the front part of the left hind leg. I gave the only treatment here used, i. e., I had Mr. J. A. Hampton to cut the whole sore out and sear the flesh with a hot iron; it soon recovered. This week I found that the same colt had another attack on the right foreleg, just above the knee joint, and before I discovered it the sore was 5 inches long by 3 inches broad and fully 1 inch deep. Mr. Hampton again cut the sore away and burned the leg. The flesh that is cut away is perfectly honeycombed with the borings of a parasite, resembling to the naked eye a very small tapeworm, but bony. In cutting, all the perforated flesh must be removed to effect a cure.

I would like to find a cure for the disease without resort to the knife, as sometimes this can not be used.

Very truly, yours, J. M. YOUNG.

TUBERCULOSIS AMONG CATTLE IN SAXONY.

United States Consul Theodore M. Stephan, of Annaberg, under date of October 31, 1894, states that the following statistics as to the occurrence of tuberculosis among cattle in Saxony have been obtained from the reports of the public slaughterhouses and meat inspectors:

In fourteen towns which furnished complete statistics it is reported that 60,854 horned cattle were slaughtered; 11,349, or 18.65 per cent, of these were found to be tuberculous. Of these tuberculous animals 10,222, or 90.06 per cent, were passed as fit for consumption; 664—that is, 5.85 per cent of the tuberculous, or 1.09 per cent of the total number slaughtered—were excluded from the market, and 463—that is, 4.07 per cent of the tuberculous, or 0.76 per cent of the whole number—were entirely condemned.

Of 114,317 calves slaughtered in nine towns, it was found that 161, or 0.11 per cent, were tuberculous; 77, or 0.067 per cent, of these were entirely condemned; 50 of these were passed as inferior, and 34 as good meat.

In twelve towns 276,669 pigs were slaughtered, of which 3,802, or 1.38 per cent, proved to be affected with the tuberculosis. Of these, 2,624 were passed as good, 584, or 0.21 per cent, as inferior food, and 604, or 0.22 per cent, were totally condemned.

Among 104,987 sheep, 39, or 0.037 per cent, were detected as suffering from tuberculosis. In 32 of these cases the meat was considered good.

It is an old observation that tuberculosis occurs most frequently in cows; but incomplete statistics show that it appears to almost the same extent in oxen. Bulls alone show a very favorable contrast in this respect.

In the three slaughterhouses at Dresden, Leipsic, and Pirna statistics were obtained for the extension of tuberculosis in the body of the animal. In 7,507 cases the disease was confined to one organ. Against these, there were only 1,850 cases where the disease had spread more widely; in 344 cases several organs of one cavity of the body were affected; in 1,322 the organs of several cavities simultaneously; 308 were cases of tuberculosis of the spleen, kidneys, and lymphatics (generalized tuberculosis); 18 tuberculosis of the bones, and 58 of the udder.

Tuberculin injections for diagnostic purposes were few, owing to the trouble and expense involved, though, where used, favorable reports are received. In one case, however, it was observed that the cows lost the sexual instinct after the injection, but this may have been an accidental coincidence. In the case of a four months' old calf, boils to the size of a fist broke out on the head several times two or three days and emitted a pus-like matter. This lasted several months, and the animal did not thrive. On slaughtering, the lungs were found to be full of tubercles as large as peas. The slaughtering did not take place until after the animal had calved for the first time. The 8 days' old calf had flat layers of tuberculous deposit on the pleura.

In horses, two cases of tuberculosis were observed. In one case the lungs were totally infested with miliary nuclei, which were also found in the spleen. The horse had been kept in the cow stable. In another case a lymphatic vessel of the neck had enlarged, and a boil arose on the chest which could not be removed by an ordinary operative process. The horse fed badly and dwindled away. It was killed, and on dissection a compact mass of swollen matter weighing 25 pounds was found in the front breast adhering to the breastbone. Tuberculosis nodules as large as peas and walnuts were found in the left pleura, in the parenchyma, the lymphatic vessels, and the liver and spleen. This horse, too, had been kept for three years by the side of a cow which afterwards turned out to be highly tuberculous. The presence of tuberculous bacilli was clearly demonstrated.

XANTHIUM STRUMARIUM (COCKLEBUR).

The New Zealand department of agriculture, John D. Ritchie, secretary, in Leaflet for Farmers, No. 5, issued October, 1893, states that the young foliage of clot or cocklebur is poisonous to stock and that the burs damage wool. The plant is known by the following common name in the several countries named: Small burdock, or bur-weed (England); clot or cocklebur (America); Noogoora bur (Queensland).

The leaflet continues as follows:

This plant has, unfortunately, recently appeared in the colony, and the present leaflet is issued with a view of giving settlers an idea of its appearance, so that if plants are seen they may be destroyed without delay.

Should this plant become acclimatized it will probably cause great loss to both the cattle raiser and sheep farmer.

Some time ago the *Silverstream*, from Buenos Ayres, discharged a quantity of earth ballast, which was placed on the reclaimed land near the Wellington Railway Station. A few months later the heap was observed to be covered with a luxuriant growth of weeds, and from it I collected no less than seventeen species—many of them, unfortunately, already too well known in the colony, but two or three were new. Among these last was the subject of the present note, namely, *Xanthium strumarium*, known in England as the small burdock or bur-weed, in America as the clot or cocklebur, and in Queensland as the Noogoora bur, from the locality where it was first observed to be poisonous to stock.

The plant belongs to the composite order, but there may at first, on account of the separation of the male and female flowers, seem some difficulty in understanding why it should be so classed. A further examination will, however, show its true relationship.

The female flower heads are in small axillary clusters of two or three, the male flower heads being placed above them at the top of the branchlets. After the pollen has been dispersed, the male flowers soon drop off, and the female flower heads rapidly develop into oblong burs, very hard and thickly studded with hooked spines. On the top of the bur are to be seen two very stout beaks, and within will be found two cells, each with a single seed. The full-grown leaves, measuring from 2 to 5 inches in width, are very similar to those of mallow, with from three to five lobes, unequally and often coarsely toothed.

If a young plant is carefully dug up, the bur from which it grew will be found attached to the root.

The plant is a rank annual, and in Queensland grows to a height of 6 or 8 feet, with wide-spreading branches. Purple mottling will frequently be seen on the stems of young specimens.

In the earlier stages of development it is eaten by cattle. Mr. Gordon, the chief inspector of stock for Queensland, states that its action is to induce paralysis of the heart, causing death without struggle, and apparently without pain. Fully half the herd on the Noogoora estate having been killed by it, Dr. Bancroft, of Brisbane, undertook experiments which conclusively proved the poisonous nature of the weed.

It was introduced into Queensland with cotton from the Southern States of America.

Each plant produces numerous burs, which in a sheep country would, from their nature, cause enormous loss to the woolgrower by injuring the fiber of his chief product.

Two species *Xanthium strumarium* and *X. Canadense* are common weeds in the United States, and the fact that the young foliage is poisonous to cattle furnishes an additional reason for using every means to eradicate it.

MEAT IMPORTATION.

The following article appeared in the Landwirthschaftliche Zeitung, supplement to the Hamburger Correspondent of August 10, 1894, headed "Cattle and meat import from the United States:"

The steamship *Prussia* arrived July 27, from New York, with 340 head of live cattle and 150 carcasses. Although a more or less regular importation of cattle from the United States for killing had already taken place some years ago without having attracted any attention, the matter of importing cattle and meat now entered upon a new stage. The Hamburg Packet Company has at present two steamships running, and three building, having steerage room in each for 200 live animals comfortably stabled in two long rows. The animals appeared, on their arrival, as having been well stabled and well attended, giving no indication of the hardships of the sea voyage. They had been fed good hay and corn in the ear; the stable was well ventilated. They were unloaded immediately, placed in cars, and were at the cattle marts and slaughterhouses a few hours after the arrival of the steamship. The veterinary inspection took place at the wharf, before they were loaded into the railroad cars, while the custom inspection is held at the slaughterhouse. No loss was reported during the voyage.

In accordance with the law, cattle must be slaughtered within ten days after arrival in Hamburg. The meat is kept in cool rooms 8 feet high, with a floor space of 3,750 square eet, and located in the lower part of the vessel, near the engine. The carcasses ere quartered, each quarter put in sacks and suspended on hooks.

The temperature in the room is kept at + 2° to 3°, the best at which meat is preserved, provided the air is dry. The freezing of meat, as done with that imported from Australia, is not found necessary, on account of the shortness of the trip; the meat, therefore, if received on board directly from the slaughter or cooling houses, is in the same condition when taken from the vessel as that taken from the public slaughterhouses of Germany supplied with all the modern improvements.

There is a great difference between this and the Australian meat. This meat, kept in the cooling rooms and not frozen, if it is of young and well-fed animals, competes favorably with the better and best qualities of the home production; while the Australian meat, kept for a long time in rooms below freezing point, can only compete with the inferior quality of home production.

The meat brought by the steamship *Prussia* came from Kansas City; was shipped from there in refrigerator cars to New York. The certificate signed by an official of the Department of Agriculture stated that the cattle had been inspected and that the post-mortems had shown them free of all diseases. Each quarter was tagged and had a number. But this is not sufficient, and does not satisfy the representatives of the city government of Hamburg. Each quarter was there again carefully inspected by the veterinarians appointed for that purpose, and only when found healthy is stamped and allowed to be sold. Some quarters of this first shipment were condemned, not because of being diseased or even suspected, but because the first stages of decay were observed, showing that the arrangements on the steamship for cooling were not as yet faultless and uniform during the entire trip. But this will in time be easily remedied with increasing experience.

The meat coming from well-fed and even fat animals was immediately sent to the cooling rooms of the slaughterhouse, placed again in a temperature of + 2° to 3°, kept there, and taken away whenever needed.

As before stated, through the building of these five steamships for the live-cattle and meat importation the question becomes one of great importance. The American business men and associations, working with a very large capital are, of course, greatly interested to further extend their trade, which formerly had only been carried on with England, to create a market for their meats in Germany, and so greatly embarrass the German producers.

The Mark Lane Express of July 16 says that the value of imported live cattle from 1885 to 1893 had increased from £1,333,763 to £6,262,861, and that the value of imported fresh meat had increased from £482,802 to £4,109,593.

The importation of all the agricultural products into England increased from £15,812,659 in 1885 to £81,416,880 in 1893, or about 42 per cent, while the increase in the population was only 5.7 per cent.

Whether the next ten or twenty years will show the same for Germany, we can only surmise. The quantity, the centralization of capital, the sale of cattle and meats, also the improvements in the art of preserving, the building of suitable vessels—all these are factors of the greatest importance. This importation of live cattle leaves no doubt that they are not inferior to the best German cattle as to their outward appearance and their value for killing purposes, and that they surpass the latter as to health.

Special attention was called in a former article by Dr. Vollers, veterinary surgeon and the writer of this, to the almost total absence of tuberculosis in the live cattle imported from the United States, which fact is all the more remarkable in view of the wide extension of this dreaded disease in Germany. When we consider that the presence of this disease in American cattle is only 0.115 per cent to from 10 to 26.7 per cent in the German cattle, it is a matter of vast and vital importance, even if we take into consideration that the cattle imported from the United States are mostly oxen and selected for exportation, while the per cent of the German cattle is taken from the whole bovine genus.

STOCK HOGS FOR MARKET.

Mr. J. R. Macrae, statistical correspondent of this Department, writes as follows from Council Bluffs, Iowa, under date of December 30, 1893:

Inclosed please find a few suggestions on the handling of stock hogs, from one of my correspondents, J. B. Matthews, who is United States postmaster at Taylor, in this county. I heartily indorse all he says on the subject. In this neighborhood we would rather feed cattle, wanting hogs, than buy stock hogs out of the South Omaha yards.

The inclosure referred to from Mr. Matthews is as follows:

Allow me to suggest that there should be a law or an order made by the General Government regulating the shipping and handling of stock hogs—hogs designed for market as feeders, not as fat hogs. In every instance that has come under my observation in the last five years, where stock hogs have been shipped into western Iowa from Illinois, Missouri, or Nebraska they have invariably been affected with disease, and parties shipping them claim they were in good health at the time they were shipped.

Now, my opinion is that if the stock cars are properly cleaned and disinfected, and instead of unloading such hogs in the pens of the stock yards where other hogs have been daily unloaded and placed into, they were put into pens separate and away from the fat-hog pens and kept for the purpose of penning stock hogs alone, then they would not contract disease, and the stock-hog trade could be conducted profitably to the shipper and the purchaser who buys them for feeding purposes.

To prove that my theory is correct, Mr. Evans, a large feeder east of Carson, shipped 200 stock hogs from Illinois. He cleaned the cars and used disinfectants, and would not allow them to be unloaded at any stock yards. Even at Carson he would not allow them to pass through the loading chute, but let them out of the cars away from the stock yards, and drove them home. Those hogs have been healthy, with no signs of disease, and it is the only instance that I have known in five years where stock hogs have been shipped into this country and been healthy afterwards. I hope the Department of Agriculture will make some inquiry relating to this matter, and adopt the methods I speak of, or something better.

LAWS OF THE STATES AND TERRITORIES FOR THE CONTROL OF CONTAGIOUS ANIMAL DISEASES.

Laws of the States and Territories for the control of contagious and communicable diseases of domestic animals not heretofore published in the annual reports of this Bureau will be found below:

COLORADO.

AN ACT to amend an act entitled "An act to amend an act entitled, 'An act to prevent and suppress infectious and contagious diseases among the domestic animals of the State; and for the appointment of the necessary officers to carry into effect the same; and to fix compensation,'" approved, March 3, 1887.

Be it enacted by the general assembly of the State of Colorado, That section four of an act entitled, "An act to amend an act entitled, 'An act to prevent and suppress infectious and contagious diseases among the domestic animals of this State; and for the appointment of the necessary officers to carry into effect the same; and to fix compensation,'" approved March 3, 1887, be, and the same is hereby, amended so as to read as follows:

"SEC. 4. Section 6 of said act is hereby amended so as to read as follows: Sec. 6. There is hereby created a State veterinary sanitary board, such board to consist of three members to be appointed by the governor, by and with the advice and consent of the senate; such persons so appointed shall hold their offices for the term of two years. The State veterinary sanitary board shall, upon the request and recommendation of five woolgrowers, residents of any county in the State, appoint some practical sheepman inspector of said county, whose term of office shall be one year, unless sooner removed by the State veterinary sanitary board; said inspector's duties shall be to prevent and suppress infectious and contagious diseases among sheep, under such regulation as may be prescribed by the said sanitary board; said sheep inspector shall be paid three dollars per day for actual time employed, and his actual traveling expenses, from the sheep-inspector's fund of said county, if there be such fund, and otherwise from the general fund of said county, upon his sworn voucher being approved by the county commissioners of said county: *Provided,* That such inspector shall only inspect such sheep as are diseased or reported to be in a diseased condition."

Approved April 8, 1893.

DELAWARE.

AN ACT for the eradication of infectious and contagious diseases among the lower animals.

Be it enacted, That in order to protect the lives and property of citizens of Delaware when threatened by epidemics of contagious and infectious diseases among the lower animals, authority is hereby vested in the governor of this State to issue his proclamation stating that an infectious or contagious disease exists in any county or geographical district of the State, and warning all persons to seclude, in the premises where thay may be at the time, all animals within the quarantined district that are of a kind susceptible to contract the disease in question, and ordering all persons to take such precautions against the spread of such disease as the nature thereof in his judgment render necessary or expedient.

SEC. 2. To call upon all sheriffs and deputy sheriffs to carry out and enforce the provisions of such proclamations, orders, and regulations; and it shall be the duty of all sheriffs and deputy sheriffs to obey and observe all orders and instructions which they may receive from the governor in the premises.

SEC. 3. To employ such and so many medical and veterinary practitioners and such other persons as he may from time to time deem necessary to assist in performing his duties, as set forth in the first section of this act, and to fix their compensation.

SEC. 4. To order all or any animals coming into the State to be detained at any place or places for the purpose of inspection and examination.

SEC. 5. To prescribe regulations for the destruction of animals affected with infectious or contagious disease, and for the proper disposition of their hides and carcasses, and of all objects which might convey infection or contagion: *Provided*, That no animal shall be destroyed until first examined by a medical or veterinary practitioner in the employ of the governor as aforesaid.

SEC. 6. To prescribe regulations for the disinfection of all premises, buildings, boats, and railway cars, and of all objects from or by which infection or contagion may take place or be conveyed.

SEC. 7. To take such action in regard to exposed carcasses, bones, etc., and to graves of lower animals known to have died from diseases directly communicable in a fatal form to man as he, after consultation with well-informed persons, may deem to be expedient.

SEC. 8. To alter and modify, from time to time, as he may deem expedient, the terms of all such proclamations, orders, and regulations, and to cancel and withdraw the same at any time.

SEC. 9. For the purpose of defraying expenses involved in carrying out the provisions of this act an annual appropriation, not to exceed five hundred dollars, or so much thereof as occasion may require, is hereby made from the funds of this State.

Approved, May 4, 1893.

IDAHO.

AN ACT for the appointment of sheep inspectors, and to suppress and prevent dissemination of scab among sheep.

Be it enacted by the legislature of the State of Idaho, That there shall be appointed by the county commissioners in each county in Idaho, upon the petition of a majority of the resident sheepgrowers, a capable and discreet person and practical sheepgrower as inspector for such county, to hold his office during the pleasure of such county commissioners, or until his successor shall be appointed, and who shall perform such duties as are hereinafter provided, or he shall be removed as hereinafter provided, upon petition of the majority of the stock owners paying taxes in said county, presented to the county commissioners.

It shall be the duty of such county commissioners of any county wherein such petitioners pay taxes to remove such inspector and appoint the person named in the petition.

SEC. 2. Such inspector shall be a resident of the county for which he shall be appointed. He shall, before entering upon the duties of his office, take the oath prescribed by law for other county officers, and shall give bond to the county wherein he is appointed in the sum of two thousand dollars, with good securities conditioned that he will faithfully perform the duties of his office.

Such bond shall be approved by the county clerk and the chairman of the board of county commissioners, who shall indorse every bond they shall approve as follows: "We are acquainted with the sureties herein, and believe them to each be worth the amount of the penal sum of the within bond, over and above all their just debts and liabilities."

SEC. 3. Such bond, with the oath indorsed thereon, shall be recorded in the office of the clerk of the board of county commissioners of the county in which the inspector shall reside, and may be sued on by any person injured on account of unfaithful performance of duty by such inspector or any of his deputies: *Provided*, No suit shall be instituted after twelve months have elapsed from the time the cause of action accrued.

SEC. 4. It shall be the duty of the inspector to administer oaths and to personally examine all sheep and bands of sheep in his county every spring, between the fifteenth day of April and the fifteenth day of May, and to the owners or persons in charge of herds found to be clean shall so certify, which certificate shall be a permit for such herds to pass into and through any and all counties in this State so long as they shall remain free and clean from disease; and also to examine any band or bands of sheep at any time that he may be called upon to do so by the request of three or more sheepgrowers in writing, said persons making a written statement that said sheep are affected or infected with some infectious or contagious disease, and that there is imminent and immediate danger of the spreading of such disease.

Such inspector shall forthwith issue his order, quarantining said sheep. Each inspector shall have power to appoint one or more deputies, who shall be practical sheep men, for whose acts he shall be responsible, and by any of whom he may perform any acts required of him by this act, except the annual inspection, which shall be made by the inspector himself in person; and it shall be the duty of the

inspector to advertise in at least one local paper, if there be one in his county, at his own expense, the names and post-office address of any and all of his deputies.

SEC. 5. Any person, company, corporation, or association intending to bring or cause to be brought from any other State or Territory into any of the counties of the State of Idaho any sheep, must first obtain from the inspector duly appointed under this act a certificate that said sheep are sound and free from all contagious disease before crossing the boundary line of said county; and it shall be the duty of every inspector at the request of any person, company, association, or corporation owning or controlling any sheep of his county, or within twelve miles of the line of said county, upon being tendered the amount of his compensation for other special examinations, as herein provided, to with all convenient speed examine any sheep he shall be requested so to examine; and if such sheep be found free from all infectious and contagious disease, and are perfectly sound, to give his written certificate to said applicant over his official signature, setting forth the soundness and freedom from disease of such sheep; and issue a permit, as provided for in section 4 of this act: *Provided*, That any sheep that have been previously examined by any of the inspectors of this State but have been grazing without the State may return at any time within the year without additional examination. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than three hundred dollars ($300), nor more than five hundred dollars ($500).

SEC. 6. Any person, company, corporation, or association desiring to move his or their sheep which are not sound, or are infected or affected with scab or any infectious or contagious disease, shall obtain from the inspector a traveling permit, but such permit shall only be granted for the purpose of moving said sheep to some place where they may be treated for said disease, and by such route as the inspector may designate. Any person, company, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than three hundred dollars nor more than five hundred dollars; and any party injured or damaged by reason of the moving of said sheep shall be entitled to recover from said person, company, or corporation, by a civil action, three times the amount of damage, direct and consequential, that said party has actually sustained by reason thereof.

SEC. 7. Whenever, upon an examination of any bands or herds of sheep kept or herded in any county of the State of Idaho, the sheep inspector shall find such sheep, or any portion of them, affected with the scab, or scabies, or any infectious or contagious disease, he shall forthwith notify the owner or person in charge of said sheep, in writing, to treat said sheep for said disease within a period of fifteen days from such notice, and also during such period to keep said sheep from contact with other sheep by such means as he may specify; and if, upon examination at the end of fifteen days from such notice, the inspector shall find that said sheep have not been treated for said disease or have not been kept from contact with other sheep that are sound, the owner or owners or person or persons controlling said sheep shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars; and in case said sheep have not been treated for said disease the inspector shall immediately take possession of said sheep and treat them for said disease; and all expenses incurred in so doing, including a compensation of five dollars per day for every day or part of a day in which the inspector may be engaged in treating said sheep, shall become a lien upon said sheep, and the inspector shall hold the sheep until the same is paid; or if it be not paid within ten days after such treatment has been completed he shall collect the same, together with the costs and expenses of collection, by advertising and selling said sheep or so many thereof as may be necessary in the manner prescribed by law for the sale of personal property on execution. If, however, upon examination at the end of thirty days from such notice as before mentioned, the inspector shall find that said sheep have been treated for said disease but are still infected with the same, then he shall instruct the owner or controller of said sheep to dip once or more times, as circumstances demand, as soon as possible, but with an interval between the dipping of not less than nine nor more than twelve days; and if upon examination at the end of thirty days further the inspector finds that said sheep have been treated for said disease but are still affected, then he shall at once take possession of said sheep and treat them for said disease as above specified.

If, however, upon examination, he finds said sheep have not been treated for said disease, he shall seize said sheep and treat them for said disease, as above specified, and the owner or owners or controller shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars: *Provided*, No person, company, or corporation shall be required to dip any of their bands of sheep from the first of December until such time as they can shear the following spring: *And it is further*

provided, No person, company, or corporation shall be required to dip a band or bands of ewes, or any part of them, in which there are ewes with lambs at any time from the 15th of March until the 15th of May of any year, but they must be held in quarantine and kept separate from sound sheep, and held responsible for all damages, as stated in sections 6 and 7 of this act. It also shall be the duty of the inspector to require the owner or owners of sheep while held in quarantine during the above exemption to spot or hand dress all sheep in their band that show any scab or any contagious disease with some reliable medicine that he may recommend for the purpose, and the inspector shall have power to enforce hand dressing or spotting during the exemption referred to in this section the same as he has the power to enforce dipping at any other period of the year.

SEC. 8. The sheep inspectors of the several counties of this State shall receive five dollars per day for every day or part of a day spent in the performance of their duty and ten cents per mile for every mile necessarily traveled in the performance of their duties, to be paid by the owner of the sheep examined, as provided in section 7 of this act. All deputy inspectors to receive the same pay and in the same manner as the regularly appointed inspectors.

SEC. 9. Any inspector at any time granting a permit allowing sheep to travel without having at the time first examined said sheep shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars.

SEC. 10. Any person or persons owning or having under their control sheep or bands of sheep which have become afflicted with scab or other contagious disease for the period of fifteen days without reporting the same to the inspector in writing shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine of not less than twenty-five dollars nor more than two hundred and fifty dollars. Upon receiving such notice the inspector shall proceed as provided in section 7 of this act. Any person, company, or corporation violating any of the provisions of this act shall be liable in a civil action for all damages sustained by any other person, company, or corporation in consequence of such violation.

SEC. 11. In any action or proceeding, civil or criminal, arising under this act, all persons having an interest in sheep and controlling the same concerning which such action or proceeding is had shall be deemed the owners of such sheep, and shall be liable, severally and jointly, for a violation of this act. Any herder, shepherd, or other person in charge of sheep who shall wilfully refuse to give an inspector information as to the condition of sheep in his charge shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than two hundred and fifty dollars. In criminal actions against corporations under this act no arrests shall be necessary, but a summons, containing notice of the time and place of trial, together with a copy of the complaint, filed before a justice of the peace or in the court in which the action is commenced, shall be served in the same manner and for the same length of time as in civil actions.

SEC. 12. Actions may be brought for all misdemeaners defined in this act before any court having jurisdiction in the same. The provisions of this act requiring the sheep inspector to prosecute for violation of its provisions shall not be so construed as to prevent such prosecutions from being commenced and prosecuted by other persons as criminal actions are commenced and prosecuted in other cases.

SEC. 13. It shall be the duty of each sheep inspector to keep a book, in which he shall keep as nearly complete as practicable, a description of the marks and brands with which each person in his county marks or brands his sheep. The owners of the sheep shall report in writing to said inspector their marks and brands, and said books shall be delivered by the inspector at the end of his term of office to the clerk of the board of county commissioners, or to his successor in office.

SEC. 14. It shall be unlawful for any person, company, corporation, or association owning, controlling, or managing any ferryboat, toll bridge, car, steamboat, or other thing used for transportation, to allow any sheep to be carried thereon, unless the party in charge of said sheep shall first produce a certificate from an inspector appointed under this act or of every act amendatory to this, that said sheep are free from scab, scabies, and infectious and contagious disease; and any violation of this section shall be deemed a misdemeanor, and any person or persons, company or corporation violating the provisions of this section shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars.

SEC. 15. If any person or persons, company or corporation, in driving or herding any sheep, should get into their herd any stray sheep, they shall immediately notify the owner thereof, or if the owner is unknown, he shall forthwith notify the sheep inspector thereof, giving the number of said sheep and the brands of each; and any person or persons, company or corporation, violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than two hundred and fifty dollars.

SEC. 16. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 17. In consequence of the rapid spread among sheep of contagious and infectious disease, and inasmuch as there is no adequate law for the protection of sheep growers, an emergency existing, therefore this act shall immediately take effect and become a law on and after its approval by the governor.

Approved March 2, 1893.

MAINE.

AN ACT to amend an act entitled "An act to extirpate contagious diseases among cattle."

Be it enacted by the senate and house of representatives in legislature assembled, as follows: Section one of chapter one hundred and seventy-seven of public laws of eighteen hundred and eighty-nine is hereby amended by striking out the words "and other live stock," in the fourth line, and inserting instead the words "horses and sheep," so that said section as amended shall read as follows:

"SECTION 1. That for the purpose of facilitating and encouraging the live-stock interests of Maine, and for extirpating all insidious, infectious, and contagious diseases now or that may be among cattle, horses, and sheep, and especially tuberculosis, the governor of the State is hereby authorized and required, immediately after the passage of this act, to appoint a board of cattle commissioners, consisting of three persons of known executive ability, who shall be charged with the execution of the provisions of this act, and who shall be known and designated as the State of Maine cattle commission, and whose powers and duties shall be those provided for in this act, and whose tenure of office shall be at the option of the governor. The compensation of said commissioners shall be at the rate of three dollars per day during the time they are actually engaged in the discharge of their duties as commissioners. The said commissioners shall respectively take an oath to faithfully perform the duties of their office, and shall immediately organize as such commission by the election of one of their number as president thereof, and proceed forthwith to the discharge of the duties devolved upon them by the provisions of this act."

SEC. 2. Section two of said act is hereby amended by striking out the word "two," in the twenty-ninth line, and inserting instead thereof the word "one;" and by striking out the words "one hundred," in the thirtieth and thirty-first lines, and inserting instead thereof the word "fifty;" also by striking out the word "one," in the thirty-six line, and inserting instead thereof the word "three;" also by inserting after the word "disease," in the thirty-seventh line, the words "and the owner or owners shall furnish satisfactory evidence as to the time such animal or animals shall have been owned in the State;" so that said section two as amended shall read as follows:

"SEC. 2. That it shall be the duties of the said commissioners to cause investigation to be made as to the existence of tuberculosis, pleuro-pneumonia, foot-and-mouth disease, and any other infectious or contagious disease. And such commissioners or their duly constituted agent are hereby authorized to enter any premises or places, including stock yards, cars, and vessels, within any county or part of the State in or at which they have reason to believe there exists any such diseases, and to make search, investigation, and inquiry in regard to the existence thereof. Upon the discovery of the existence of any of the said diseases the said commissioners are hereby authorized to give notice by publication of the existence of such disease, and the locality thereof, in such newspapers as they may select, and to notify in writing the officials or agents of any railroad, steamboat, or other transportation company doing business in or through such infected locality of the existence of such disease; and are hereby authorized and required to establish and maintain such quarantine of animals, places, premises, or localities as they may deem necessary to prevent the spread of any such disease, and also to cause the appraisal of the animal or animals affected with the said disease in accordance with such rules and regulations by them as hereinafter authorized and provided, and also to cause the same to be destroyed, and to pay the owner or owners thereof one-half of their value, as determined upon the basis of health before infection, out of any moneys appropriated by the legislature for that purpose: *Provided, however*, That no appraised value shall be more than one hundred dollars for an animal with pedigree recorded or recordable in the recognized herdbooks of the breed in which the animal destroyed may belong, nor more than fifty dollars for an animal which has no recordable pedigree: *Provided further*, That in no case shall compensation be allowed for an animal destroyed under the provisions of this act which may have contracted or been exposed to such disease in a foreign country, or on the high seas, or that may have been brought into this State within three years previous to such animals showing evidence of such disease, and the owner or owners shall furnish satisfactory evidence as to the time such animal or animals shall have been owned in the State; nor shall compensation be

allowed to any owner who, in person or by agent, knowingly and wilfully conceals the existence of such disease or the fact of exposure thereto in animals of which the person making such concealment, by himself or agent, is in whole or part owner."

Approved March 10, 1893.

MASSACHUSETTS.

AN ACT to codify and consolidate the laws relating to contagious diseases among domestic animals.
(Chapter 491, acts of the year 1894.)

Be it enacted, etc., That the mayor and alderman of cities and the selectmen of towns shall, within thirty days after the passage of this act, and thereafter annually in the month of March, appoint one or more persons to be inspectors of animals and provisions. Each inspector shall be sworn faithfully to discharge the duties of his office, and shall receive a reasonable compensation, to be paid by the city or town for which he has been appointed. Such town and city officers shall have the power to remove any person so appointed by them to be an inspector, and in such case shall immediately appoint another in his place. Every city and town shall, within thirty days after the passage of this act, and thereafter before the first day of April in each year, send to the board of cattle commissioners a true and correct list of the duly appointed and qualified inspectors of animals and provisions appointed under this section, which notice shall give the name and address of each such inspector and his usual business occupation as far as the same is known.

SEC. 2. Whenever the officers of a city or town refuse or neglect to carry into effect the provisions of section one, such city or town shall be liable to forfeit a sum not exceeding five hundred dollars for each such refusal or neglect, and the board of cattle commissioners shall have the power to appoint one or more persons to be such inspector or inspectors for such city or town. Such board shall also have the power to remove any inspector of provisions and animals appointed under the provisions of this act whenever, in the opinion of said board, such inspector neglects or refuses to be sworn or properly perform the duties of his office, and in such case shall appoint another inspector to serve for the balance of his term. Every inspector of provisions and animals appointed by said board shall be sworn faithfully to discharge the duties of his office, and shall receive such compensation not exceeding the sum of five hundred dollars a year each, as said board shall determine. Such compensation shall be paid by the city or town for which he or they have been appointed.

SEC. 3. Every inspector appointed under the provisions of this act shall carry out and enforce all regulations and orders to him directed by the board of health under the provisions of this act, or by the board of cattle commissioners or any of its members, in the discharge of his or their duties.

SEC. 4. Said inspectors shall make regular and thorough inspections of all neat cattle found within the limits of their several cities and towns. Such inspections shall be made at such times and in such manner as the board of cattle commissioners shall from time to time determine and direct. They shall also make from time to time inspections of all other domestic animals within the limits of their several cities and towns whenever they have knowledge or reason to suspect that such animals are affected with or have been exposed to any contagious disease, and they shall immediately inspect any and all domestic animals whenever directed so to do by the board of cattle commissioners or any of its members.

SEC. 5. Every inspector shall keep a record of all inspections made by him and his doings thereon, and shall make regular returns of all such inspections to the board of cattle commissioners. Such records and returns shall be made in such form and at such times as the board of cattle commissioners shall determine and direct, and said board and the board of health of the city or town for which said inspector is appointed shall have at all times the right to inspect said records and make copies thereof.

SEC. 6. Whenever an inspector is satisfied, upon an examination of any neat cattle, that such cattle are free from contagious disease, he shall deliver to the owner or to the person in charge thereof a written certificate of their wholesome condition, signed by him, which certificate shall be in such form as the board of cattle commissioners shall prescribe, and shall cause a copy of said certificate to be entered upon his records.

SEC. 7. When any inspector, upon an examination of any domestic animal, suspects or has reason to believe that such animal is affected with a contagious disease, and whenever any inspector is directed so to do by the board of cattle commissioners or any of its members, or by the board of health of the city or town for which he has been appointed, he shall immediately cause said animal to be quarantined or isolated upon the premises of the owner or of the person in whose charge it is found, or in

such other place or enclosure as may be designated by either of such boards or any such commissioner, and shall take such other sanitary measures to prevent the spread of such disease as may be necessary or as shall be prescribed in such order or by any order or regulation issued by the board of cattle commissioners. Such inspector shall also deliver to the owner or person in charge of such animal, or to any person having an interest therein, a written notice or order of quarantine signed by him, which notice or order shall be in such form as the board of cattle commissioners shall prescribe, and he shall cause a copy of said notice to be entered upon his records.

SEC. 8. Such notice or order may be served by an officer authorized to serve civil process, or the same may be delivered by the inspector to the owner or person having such interest therein, or to the person in charge of such animal, or may be left at the last and usual place of abode of such owner or person, or may be posted upon the premises where said animal is quarantined or isolated, and a copy of said notice or order of quarantine, with the return of said officer or inspector thereon that such service has been made, shall be competent evidence in any court that such quarantine has been imposed. Whenever any animal has been quarantined by an inspector under the provisions of this act such animal shall remain in quarantine until the further order of the board of health of the city or town wherein said animal is confined, or of the board of cattle commissioners or any of its members.

SEC. 9. Whenever any inspector has caused any domestic animal to be quarantined, as provided in section eight, he shall immediately give a written notice thereof to the board of health of the city or town where said animal is quarantined, and shall also immediately send a written notice, together with a copy of the order of quarantine, to the board of cattle commissioners, and shall give such information to no other person.

SEC. 10. Said inspectors may inspect the carcasses of all slaughtered animals, and all meats, fish, vegetables, produce, fruits, or provisions of all kinds found in said cities or towns, and shall make such inspections thereof as may be ordered by the board of health for the city or town for which they have been appointed. Whenever the carcass of any such animal is, in the opinion of such inspector, diseased or unfit for food, or when such meat, fish, vegetables, produce, fruit, or provisions are found, on such inspection, to be tainted, diseased, corrupted, decayed, or unwholesome from any cause, such inspector shall seize the same and cause it or them to be destroyed forthwith or disposed of otherwise than for food; but if at the time of such seizure the owner of the property so seized notifies in writing the inspector seizing the same that he desires to appeal to the board of health of such city or town, such inspector shall retain the possession of such carcass, meat, fish, vegetables, produce, fruit, or provisions so seized, and shall immediately notify such board of health of such appeal, and it shall thereupon be the duty of such board of health or a committee thereof, consisting of not less than two members, to hear the parties or inspect such seized carcass, meat, fish, vegetables, produce, fruit, or provisions, and if, in the opinion of said board or said committee, the same is tainted, diseased, corrupted, decayed, or unwholesome, they shall order the same to be destroyed forthwith or to be disposed of otherwise than for food. If said board or committee do not so find they shall order said carcass, meat, fish, vegetables, produce, fruit, or provisions to be forthwith returned to the owner thereof. All moneys received by said inspectors or board of health for property disposed of as aforesaid shall, after deducting all expenses incurred by reason of said seizure, be paid to the owner of such property.

SEC. 11. Whenever such inspector seizes or condemns any such carcass or meat by reason of the presence of, or of its being affected with, any contagious disease, he shall immediately notify the board of cattle commissioners, giving the name of the owner or person in whose possession the said meat or carcass was found, the nature of the disease and the disposition made of said meat or carcass.

SEC. 12. Said inspectors may inspect all veal found in said city or town or offered or exposed for sale or kept with the intent to sell therein, and shall make such inspection whenever ordered so to do by the board of health of such city or town, and if said veal is, in the opinion of said inspector, that of a calf killed under four weeks old, he shall seize the same and cause it to be destroyed or disposed of as provided in the preceding section, subject, however, to the provisions therein contained concerning appeal and the disposal of moneys.

SEC. 13. For the purpose of inspecting or examining any animal, carcass, meat, fish, vegetables, produce, fruit, or provisions of any kind under the provisions of this act, any inspector, duly qualified, may enter into any building or buildings, or any part thereof, enclosure or enclosures, or other place where any such animal, carcass, meat, fish, vegetables, produce, fruit, or provisions of any kind are stored or kept, or exposed for slaughter or sale, and may examine or inspect the same. Any person who prevents, obstructs, or interferes with any such inspector or other person having the power and authority conferred upon inspectors under this section, in the performance of any of his duties as provided herein, or who shall hinder, obstruct, or interfere with his making any such inspection or examination, or who shall secrete

or remove any animal, carcass, meat, fish, vegetables, fruit, or provisions of any kind for the purpose of preventing the same from being inspected or examined under the provisions of this act, shall be subject to a fine not exceeding one hundred dollars, or to imprisonment in jail not exceeding sixty days, or by both such fine and imprisonment.

SEC. 14. When complaint is made on oath to any police, district, or municipal court, or any magistrate authorized to issue warrants in criminal cases, that the complainant believes that any diseased animal or carcass, or any tainted, diseased, corrupted, decayed, or unwholesome meat, fish, vegetables, produce, fruit, or provisions of any kind, or any veal of a calf killed under four weeks old, are kept or concealed in a particular building or place with the intent to kill, sell, or offer for sale for food the same or any product thereof, the court or magistrate, if satisfied there is reasonable cause for such belief, shall issue a warrant to search for such animals or articles, and all such warrants shall be directed and executed as provided in section three of chapter two hundred and twelve of the public statutes. If, upon hearing, said court or magistrate determines that any such diseased animal or carcass, or any such tainted, diseased, corrupted, decayed, or unwholesome article, or any of them, were kept or concealed for any of the purposes aforesaid, the same shall be destroyed or disposed of by an inspector appointed hereunder, or by an officer designated by the court or magistrate, and such disposal shall be in accordance with the provisions of section ten of this act. If the court or magistrate does not so determine, said animals or articles shall be returned to the owner.

SEC. 15. Whoever knowingly sells or offers or exposes for sale, or has in his possession with the intent to sell for food any diseased animal, or any product thereof, or any tainted, diseased, corrupted, decayed, or unwholesome carcass, meat, fish, vegetables, produce, fruit, or provisions of any kind, or the veal of a calf killed under four weeks old, shall be punished by imprisonment in jail not exceeding sixty days, or by a fine of not exceeding one hundred dollars, or by both such fine and imprisonment.

SEC. 16. The board of health for the city or town where any animal or property has been condemned under the provisions of sections ten and twelve of this act may cause to be published in two newspapers published in the county in which said property was found, a description of the place where such condemned property was found and the name of every person in whose possession the same was found, and may also cause to be published the name of every person convicted of an offence under section fifteen of this act.

SEC. 17. The proprietor or proprietors of every slaughterhouse, canning, salting, smoking, or rendering establishment, and of every establishment used for the manufacture of sausages or chopped meat of any kind, engaged in the slaughter of cattle, the carcass or any of the meat or product of which is to be sold or used for food, shall within thirty days after the passage of this act, and thereafter annually in the month of April, make application to the mayor and aldermen of the city or the selectmen of the town where such slaughterhouse or establishment is located for a license to carry on such business. Such application shall be in writing, signed by one or more of the owners thereof, or by one or more of the persons carrying on such business; if such owner or the person carrying on such business be a corporation, then by some officer thereof thereto duly authorized. Such application shall give the name in full and address of all the owners or persons carrying on said business, the location of the slaughterhouse or establishment where said business is to be conducted, shall state the estimated number of cattle to be slaughtered per week, the day or days of the week upon which it is intended to slaughter the same, and the nature of the product or products thereof to be sold or used for food. Every such application shall be sworn to before a justice of the peace.

SEC. 18. The mayor and aldermen of cities and the selectmen of towns, or such other board of officers as they shall designate, may annually issue to persons applying therefor licenses to carry on the business of slaughtering cattle, and there shall be paid to such city or town for every such license, by the person or persons obtaining the same, a fee of one dollar. Every such license shall name the person or persons licensed to conduct such business, the building or establishment where the same is to be carried on, and such license shall continue until the first day of May of the year next ensuing, or until sooner forfeited or rendered void. The board or officer of every city or town authorized to issue licenses hereby, shall keep a record of all applications for licenses under section seventeen, and shall record therein every license issued by him or them and such records shall be competent evidence in any court of the issue of any such license.

SEC. 19. No person or persons licensed under the preceding section shall slaughter or cause or authorize to be slaughtered at such slaughterhouse or establishment, except in the presence of an inspector, any cattle on any day or days other than those specified in the application for such license, except that such licensee may at any time change the day or days for slaughtering such cattle by giving at least seven days' written notice of such change to the board or person authorized to issue licenses

under the provisions of section eighteen; and such board or person shall immediately give written notice of such change to all inspectors appointed by such city or town.

SEC. 20. It shall be the duty of the inspectors of animals and provisions of the several cities and towns, or when there is more than one inspector appointed for any such city or town and any one of them has been duly selected and ordered so to do by the board of health of such city or town, then of such inspector so selected and ordered, to be present at all licensed slaughterhouses or establishments upon the day or days designated for slaughter in the application for such license, or at such other day or days as may be designated, under the provisions of section nineteen, and there carefully examine at the time of slaughter the carcasses of all cattle slaughtered thereat. And it shall be the duty of such inspectors also to examine at the time of slaughter any and all cattle slaughtered as provided in section twenty-one of this act, whenever notified so to do by the person slaughtering the same. Such inspection shall be made in such manner and under such rules and regulations as the board of cattle commissioners may from time to time determine and direct. Whenever, in the opinion of any inspector, any of said carcasses are diseased or any meat or product thereof is diseased, corrupted, unwholesome, or unfit for food, he shall seize the same and cause it to be destroyed, as provided in section ten of this act; subject, however, to the provisions therein contained concerning appeal and the disposal of money.

SEC. 21. None of the provisions of sections seventeen, eighteen, nineteen, and twenty of this act shall apply to the slaughter from time to time by any person not engaged in such business, as provided in section seventeen, of one or more of his own cattle, when the same are slaughtered upon his own premises other than a slaughterhouse or establishment mentioned in section seventeen, but such persons shall cause such carcass to be inspected at the time of slaughter by an inspector of animals and provisions appointed under the provisions of this act, unless said animal has been duly inspected under the provisions of this act within six months prior to such slaughter and a certificate of health has been delivered to the owner or person in charge thereof, as provided in section six.

SEC. 22. Any person violating any of the provisions of sections eighteen, nineteen, twenty, and twenty-one, or who, being engaged in the business of slaughtering cattle, shall slaughter any cattle or shall knowingly authorize or cause the same to be slaughtered with the intent of selling the carcass or any of the meat or product thereof for food, without first having applied for and obtained a license, as provided in sections seventeen and eighteen, or who, having obtained such license, slaughters or knowingly authorizes or causes to be slaughtered any cattle without causing the carcass thereof to be inspected, as provided in section twenty, or who sells, or authorizes or causes to be sold any carcass, meat or product of any cattle, knowing that such carcass, or the carcass from which such meat, or product was obtained, had not been inspected according to the provisions of sections twenty or twenty-one of this act, or who slaughters or knowingly authorizes or causes to be slaughtered any cattle upon his own premises other than a slaughterhouse or establishment mentioned in section seventeen, without causing the carcass of such animal to be inspected, except as provided in section twenty-one, or who sells, or authorizes or causes to be sold, the carcass or any meat or product thereof, of any such animal slaughtered upon his own premises, knowing that the same has not been inspected as provided in section twenty-one, shall be punished by a fine not exceeding five hundred dollars or by imprisonment in jail for not exceeding sixty days, or by both such fine and imprisonment.

SEC. 23. The conviction, under section twenty-two of this act, of any person licensed under the provisions of section eighteen shall itself render void the license to such person which is in force at the time of such conviction, and no new license shall be granted to such person for the balance of such term.

SEC. 24. The boards of health of cities and towns may take all measures necessary or expedient to suppress or prevent the spread or introduction of any contagious disease among the animals of their respective cities and towns and the immediate vicinity thereof, and for that purpose they may regulate or prohibit the passage from, to, or through their respective cities and towns, or from place to place within the same, of any animal or animals, and may prohibit their departure from any building or enclosure or exclude any such therefrom, and they may arrest or detain, at the cost of the owner or owners, any animal or animals found passing, contrary to such regulation or prohibition, or found to be within such prohibited enclosure, and may take all other necessary measures to enforce such regulations or probibitions.

SEC. 25. Such boards may from time to time make regulations in writing for their respective cities and towns for any of the purposes named in the preceding section. Such regulations may be general or may be restricted to particular animals, places, districts, persons, or class of persons. Such regulations shall be spread upon the records of their respective cities and towns, and shall be published therein in such

manner as may be provided in such regulations. A certified copy of all such regulations shall be immediately sent to the board of cattle commissioners.

SEC. 26. Said boards, in case of the existence of any contagious disease among domestic animals within the limits of their several cities and towns, and whenever directed so to do by the board of cattle commissioners or any of its members, shall cause the animals which are, or which they have good reason to believe are, infected with any contagious disease, or which are designated in such order, to be quarantined, secured, collected, or isolated in some suitable place or places within the limits of such city or town, and shall immediately give written notice thereof to the board of cattle commissioners. When any such animal or animals are quarantined, collected, or isolated upon the premises of the owner or person found in the possession thereof, written notice of such quarantine or isolation shall be given to such owner or person and be served, returned, and recorded in the same manner and with the same force and effect as is provided in sections seven and eight of this act.

SEC. 27. When any animals are quarantined, collected, or isolated under the provisions of this act upon the premises of the owner or of the person in possession thereof at the time such quarantine is imposed, the expense thereof shall be paid by such owner or person in possession, and when taken from such premises such expense shall be paid by the city or town wherein the animal is kept, and four-fifths of such payment, when certified by the treasurer of the city or town and approved by the board of cattle commissioners, shall be refunded by the Commonwealth.

SEC. 28. For all the purposes named in this act the boards of health of the several cities and towns shall have the same power and authority to appoint officers, agents, and assistants as are provided in sections ten and sixteen of chapter eighty of the public statutes; and when so appointed such officers, agents, and assistants shall be subject to all the provisions of law applicable to those appointed under the provisions of said sections. In the absence of any such appointment the inspectors appointed under sections one and two of this act shall be the agents of such boards for all purposes designated in this act.

SEC. 29. Every person, except the members of the board of cattle commissioners, who has knowledge or has good reason to suspect the existence of any contagious disease among any species of domestic animals within the limits of this Commonwealth, or that any domestic animal is affected with any such contagious disease, whether such knowledge is obtained by personal examination or otherwise, shall immediately give written notice thereof to the board of health of the city or town where such diseased animal or animals are kept, and for failure so to do shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in jail not exceeding one year.

SEC. 30. Upon the receipt of such notice from any person other than a duly appointed inspector of animals and provisions for such city or town, such board of health shall forthwith cause such animal to be inspected by an inspector or by a competent veterinarian appointed by them for that purpose, and if upon such inspection such board or such inspector suspects, or has reason to believe, that contagion exists, he or they shall proceed according to the provisions of sections seven, eight, nine, and twenty-six of this act.

SEC. 31. A city or town whose officers refuse or neglect to carry into effect the provisions of sections twenty-four, twenty-five, twenty-six, and thirty of this act shall forfeit a sum not exceeding five hundred dollars for each day's neglect.

SEC. 32. All fines and forfeitures imposed upon cities or towns under sections two and thirty-one may be recovered by complaint or indictment to the use of the Commonwealth, or the same may be recovered in an action of tort, in the name of the board of cattle commissioners, to the use of the Commonwealth, and such complaint, indictment, or action may be maintained in any county.

SEC. 33. The boards of health of cities and towns, when in their judgment it is necessary to carry into effect the provisions of this act, may, within the limits of their respective cities and towns, take and hold for a term not exceeding one year any land without buildings, other than barns or stables, thereon, upon which to enclose, quarantine, and isolate any animals. They shall cause the damage sustained by any person in consequence of such taking and holding to be appraised by the assessors of the city or town wherein the land so taken is situated, and shall further, within thirty days after any such taking, cause to be entered upon the records of such city or town a description of such land sufficiently accurate for identification, together with the amount of the damages so appraised. The amount of said appraisement shall be paid by such city or town in such sums and at such times as the board of health may order. Any person aggrieved by such appraisement or order may, by an action of contract commenced at any time within three months after such taking, recover of the city or town wherein the land lies reasonable compensation for the damages so sustained by him. If, upon trial, the damages are increased beyond such appraisement, exclusive of interest, he shall recover his costs; otherwise, he shall pay costs. The Commonwealth shall reimburse to such city or town four-fifths of

the amount of such appraisal or judgment paid by such city or town, when certified by the treasurer of the city or town paying the same.

SEC. 34. Every animal quarantined or isolated by order of the board of cattle commissioners or any of its members, or by any board of health or inspector, in accordance with the provisions of this act, shall, during the continuance of such quarantine or isolation, be deemed to be affected with a contagious disease. Any person who shall knowingly break or authorize or cause to be broken any quarantine imposed under the provisions of this act, or who shall knowingly remove, authorize, or cause to be removed from any building, place, or enclosure where the same is quarantined or isolated, any animal contrary to such order of quarantine or isolation, or who shall knowingly place or cause or authorize to be placed any other animal or animals within a building, place, or enclosure where any animal or animals are quarantined, or in contact therewith, contrary to any order or notice of quaratine, or who shall knowingly conceal, sell, remove, or transport, or knowingly cause or authorize to be concealed, sold, removed, or transported, any animal, knowing or having reasonable cause to believe that such animal is affected with a contagious disease, or who shall knowingly authorize or permit any such animal to go at large upon any way, street, or highway within the limits of this Commonwealth, or who shall knowingly bring or authorize or permit to be brought from any other country, State, District, or Territory into this Commonwealth any animal that is affected with or has been exposed to any contagious disease, or who shall disobey any lawful order or regulation of any board of health or of any inspector in the discharge of his or their duty under the provisions of this act shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or by both such fine and imprisonment.

SEC. 35. Every person who kills or causes to be killed, with the consent of the owner or person in possession thereof, any animal, under suspicion that the same is affected with or has been exposed to a contagious disease, and who, upon the inspection of the carcass thereof, finds, or is of the opinion, that the same is affected with a contagious disease, shall notify such owner or person in possession thereof of the existence of such disease, and shall also immediately notify the board of cattle commissioners of the same, and of the place where the animal was found, the name of the owner or owners, or person or persons in possession thereof, and of the disposal made of such carcass. Any person violating the provisions of this section shall be subject to the same penalties as are provided in section fifteen of this act.

SEC. 36. The board of cattle commissioners created by chapter three hundred and seventy eight of the acts of the year eighteen hundred and eighty-five, shall hereafter consist of not more than five members, and the governor, with the advice and consent of the council, shall appoint two additional commissioners, one for the term of two years, and one for the term of three years, and upon the expiration of the term of office of any of said commissioners shall thereafter appoint a successor or successors for the term of three years. Said additional commissioners shall be subject to the provisions of said chapter three hundred and seventy-eight, so far as the same are applicable.

SEC. 37. Contagious diseases under the provisions of this act shall include glanders, farcy, contagions pluero-pneumonia, tuberculosis, Texas fever, foot-and-mouth disease, rinderpest, hog cholera, and rabies.

SEC. 38. The board of cattle commissioners shall have power to make from time to time orders and regulations concerning the extirpation, prevention, and suppression of contagious diseases among domestic animals, or concerning the destruction, care, and treatment of animals affected with, or which have been exposed to, any contagious disease. They shall further have, throughout the Commonwealth, all the power and authority herein conferred upon boards of health by sections twenty-four, twenty-five, twenty-six, and thirty-three of this act.

SEC. 39. The board of cattle commissioners shall from time to time make orders and regulations concerning the inspection and examination of animals, and the carcasses, meat, and product thereof; concerning the quarantine, killing, burial, and disposal of animals or carcasses affected with, or which have been exposed to, contagious disease, and concerning the cleansing and disinfecting of districts, buildings, or places where such contagion exists or has existed. Such board shall further from time to time make and prescribe forms of records of inspectors, certificates of examinations, notices and orders of quarantine, orders for killing and burial, and all returns to be made by inspectors and boards of health which are required or provided for under the provisions of this act.

SEC. 40. All orders and regulations made by the board of cattle commissioners under the provisions of this act shall be spread upon the records of such board, and a copy thereof shall be sent to each city or town to which the regulation or order applies, and shall be published by such board, or by the city or town to which they are directed, in such manner as such orders and regulations shall prescribe, or such orders or regulations may be directed to boards of health or inspectors; and in such

case a copy of the same shall be mailed to the board of health of every city or town included in such order, or to every known inspector appointed for the same. All orders and regulations made by the board of cattle commissioners under the provisions of this act shall supersede those made by the boards of health under sections twenty-four, twenty-five, and twenty-six hereof.

SEC. 41. The board of cattle commissioners may establish hospitals or quarantines, with proper accommodations, wherein, under prescribed regulations, animals by such commissioners selected may be confined and treated for the purpose of determining the varying characteristics of and the methods by which a specific contagion may be disseminated or destroyed, and they may direct boards of health and inspectors to enforce and carry into effect all such regulations as may from time to time be made for that end.

SEC. 42. The boards of health for the several cities and towns, and every inspector of animals and provisions appointed under the provisions of this act, shall carry out and enforce all lawful regulations, orders, and directions of the board of cattle commissioners or any of its members, to them or him directed, and any such officer or inspector who refuses or neglects to carry out the same shall be punished by a fine not exceeding five hundred dollars for every such offense.

SEC. 43. The board of cattle commissioners shall have the power and authority to appoint from time to time such officers, agents, and assistants as are necessary or expedient to carry out the purposes of this act, and to remove any and all of the same. All such officers, agents, and assistants shall have the power and authority conferred upon inspectors under the provisions of sections thirteen and fifty-seven hereof, and shall receive such compensation as such board shall determine.

SEC. 44. Each member of the board of cattle commissioners shall have throughout the Commonwealth all the power and authority conferred upon boards of health under section twenty-six of this act, and all the power and authority conferred upon inspectors of animals and provisions under sections four, six, seven, eight, ten, twelve, thirteen, and twenty of this act: *Provided, however*, That no appeal from any act done by any of said commissioners shall lie to the board of health, as provided in said sections ten, twelve, and twenty. Each such commissioner shall have the same power and authority to quarantine or isolate animals which have been exposed to a contagious disease, when, in his judgment, it is necessary or expedient so to do. Whenever any animal is quarantined or isolated by order of any of said commissioners, such quarantine or isolation shall continue until the further order of such commissioner of the board of cattle commissioners.

SEC. 45. When the board of cattle commissioners or any of its members, by an examination of a case of contagious disease among domestic animals, becomes satisfied that the public good requires it, such board or commissioner shall cause such animal or animals affected therewith to be securely isolated at the expense of the owner, or shall cause it or them to be killed without appraisal or payment. Such order of killing shall be in writing and may be directed to the board of health, inspector, or other person, and shall contain such direction as to the examination and disposal of the carcass, and the cleansing and disinfecting of the premises where such animal was condemned, as such board or commission shall deem expedient. A reasonable sum may be paid out of the treasury of the Commonwealth for the expense of such killing and burial. If it shall subsequently appear upon post-mortem examination, or otherwise, that such animal was free from the disease for which it was condemned, a reasonable sum therefor shall be paid to the owner thereof by the Commonwealth: *Provided, however*, That whenever any cattle afflicted with the disease of tuberculosis are killed under the provisions of this section, one-half of the value thereof at the time of slaughter for food or milk purposes, and without taking into consideration the existence of such disease, shall be paid to the owner thereof out of the treasury of the Commonwealth, if such animal has been within the State six months continuously prior to its being killed, provided such person shall not have, prior thereto, willfully concealed the existence of tuberculosis, or by act or willful neglect contributed to the spread of such disease.

SEC. 46. If the owner and the commissioner condemning the animal as affected with tuberculosis, under the provisions of section forty-five, can not agree as to the value of the animal so condemned, the question of such value shall be determined by three arbitrators, one to be selected by such commissioner, one to be selected by the owner, and the third to be selected by the two arbitrators first selected. Such board shall be sworn faithfully to discharge the duties of their office and shall determine the value of such animal according to the provisions of section forty-five, and one-half of the value so determined shall be paid to the owner, as provided in said section. Any person aggrieved by the doings under the provisions of section forty-five, or by the award of such arbitrators, may petition the superior court for the county where such animal was killed, or for the county of Suffolk, to have his damages assessed and paid. Such petition shall be against the board of cattle commissioners, and a copy thereof shall be served upon one of the commissioners in the same manner as

is provided for the service of other civil process. Such petition shall be filed in the clerk's office of the superior court for such county within thirty days after the killing of such animal or animals. Such petition shall be subject to the provisions of section sixty-nine of chapter one hundred and sixty-seven of the public statutes, and a trial may be had thereon at the bar of the court in the same manner as other civil cases are tried. If upon such trial it shall be determined that such animal was not affected with the disease for which it was condemned, reasonable compensation may be recovered therefor, and if the petitioner recover damages in excess of the amount previously awarded him by the arbitrators or allowed him by the commissioner, he shall recover his costs, otherwise he shall pay costs. The damages, costs, and expenses incurred by the commissioners in defending any such action shall be paid by the Commonwealth out of the fund appropriated for the cattle commissioners.

SEC. 47. Any person who fails to comply with a regulation made or an order given by the board of cattle commissioners, or any of its members, in the discharge of his or their duty, shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year.

SEC. 48. Prosecutions under sections thirteen, twenty-nine, thirty-four, thirty-five, forty-two, and forty-seven of this act shall be instituted and maintained in the county where the offense was committed.

SEC. 49. The commissioners may examine under oath all persons believed to possess knowledge of material facts concerning the existence or dissemination or danger of dissemination of contagious disease among domestic animals, and for this purpose shall have all the powers vested in justices of the peace to take depositions and to compel witnesses to attend and testify by chapter one hundred and sixty-nine of the public statutes. All costs and expenses incurred in procuring the attendance of such witnesses shall be allowed and paid to the commissioners from the treasury of the Commonwealth, upon being certified to and approved by the State auditor.

SEC. 50. When any animal or animals are killed by order of the board of cattle commissioners, or any of its members, the carcass or carcasses thereof may be inspected by such board or commissioner, or by a competent person by them or him appointed, and if found entirely free from disease and in a wholesome condition for food, the same may be sold by them or him or by their or his order, and the proceeds of such sale shall be applied in payment of the value of said animal or animals.

SEC. 51. The board of cattle commissioners shall keep a full record of their doings and report the same to the legislature on or before the tenth day of January in each year, unless sooner required by the governor, and an abstract of the same shall be printed in the annual report of the State board of agriculture.

SEC. 52. The board of cattle commissioners may appoint a clerk to keep the record of their doings, who shall receive such compensation, not exceeding the sum of five hundred dollars a year, as they shall determine.

SEC. 53. When animals are transported within this State from localities beyond its boundary lines, which localities the board of cattle commissioners deem to be infected, such animals may be seized and quarantined by the commissioners, at the expense of the owners or consignees thereof, so long as the public safety may require; and if, in their judgment, it is necessary to secure that safety, they may cause such animals to be killed without appraisal or payment for the same.

SEC. 54. No Texan, Mexican, Cherokee, Indian, or other cattle, which the cattle commissioners decide may spread contagious disease, shall be driven on the streets of any city, town, or village, or on any road in this Commonwealth, nor shall they be driven outside the stock yards connected with any railway in this Commonwealth contrary to any order of the board of cattle commissioners.

SEC. 55. In all stock yards within this Commonwealth, said Texan, Mexican, Cherokee, Indian, or other cattle, which the cattle commissioners decide may spread contagious disease, shall be kept in different pens from those in which other cattle are kept.

SEC. 56. Any person or persons violating any of the provisions of the two preceding sections shall be punished by a fine of not less than twenty nor more than one hundred dollars.

SEC. 57. Every cattle commissioner, member of a board of health, or inspector, shall have power to call on sheriffs, constables, and police officers to assist him, or them, in the discharge of the duties provided for in this act, and it is hereby made the duty of sheriffs, constables, and police officers to assist such commissioner, member, or inspector, when requested so to do, and he or they shall have the same powers and protection as peace officers while engaged in the discharge of his or their duties.

SEC. 58. Courts of equity in term time or vacation may, by injunction or other proper order, upon application of the board of cattle commissioners, enforce or restrain violations of the provisions of this act.

SEC. 59. Chapter fifty-eight of the public statutes, chapter two hundred and fifty-two of the acts of the year eighteen hundred and eighty-seven, chapters one hundred

and ninety-five and four hundred and thirty-two of the acts of the year eighteen hundred and ninety-two, chapter three hundred and six of the acts of the year eighteen hundred and ninety-three, and all other acts or parts of acts inconsistent herewith, are hereby repealed: *Provided, however,* That nothing herein contained shall affect any prosecution, action, or proceeding begun or pending, any penalty incurred, or any order or regulation issued, under any of said acts before this act takes effect: *And provided, further,* That all inspectors and agents appointed under any of such acts shall continue to hold office during the term for which they were appointed, unless sooner removed as provided by law, but they shall be subject to all the provisions of this act.

SEC. 60. The total expense incurred under the provisions of this act during the current year, including compensation for animals destroyed, shall not exceed fifty thousand dollars.

SEC. 61. This act shall take effect upon its passage.

Approved June 20, 1894.

NEW JERSEY.

A SUPPLEMENT to an act entitled "An act concerning contagious and infectious diseases among animals and to repeal certain acts relating thereto," approved May 4, 1886.

Whereas it is said that tuberculosis in cattle prevails in some sections of this State, whereby the health of our citizens is imperiled: Therefore,

SECTION 1. *Be it enacted by the senate and general assembly of the State of New Jersey,* That the president of the State board of agriculture shall appoint five persons, citizens and taxpayers of this State, who, together with himself and the secretary of the State board of agriculture, shall constitute a commission, who shall, at the request of two members of the State board of health or the State dairy commissioner or any owner of suspected animals, investigate the existence of tuberculosis, or cause the same to be investigated, and if any such disease is found to exist, to enforce such regulations in relation to the same as the said commission may adopt.

SEC. 2. *And be it enacted,* That when any animal or animals shall be slaughtered by direction of said commission, the value of the same shall be ascertained and appraised by three disinterested freeholders, resident in this State, who shall make and sign certificates thereof in the presence of a witness, who shall attest the same; such appraisement shall be made on the basis of the market value of the animal or animals slaughtered just prior to the time when they became so diseased, and shall be limited to the sum of one hundred dollars for registered animals and to forty dollars for all others; one-half of the valuation so ascertained shall be paid by the State on the presentation of such certificate, with the approval of the said commission indorsed thereon, to the owner or owners.

SEC. 3. *And be it enacted,* That it shall be the duty of said commission to keep a full and complete record of all their proceedings under this act and report the same annually to the State board of agriculture, and such a report shall be printed in and form a part of the annual report of the State board of agriculture.

SEC. 4. *And be it enacted,* That the sum of five thousand dollars is hereby annually appropriated to said commission to defray its expenses and the value of the cattle to be slaughtered by its direction: *Provided,* That no other compensation shall be allowed said commission than the expenses actually incurred in the execution of the duties hereby imposed.

SEC. 5. *And be it enacted,* That all bills for money expended under this act shall be audited by the comptroller of this State and then submitted to the governor for his approval; and after being thus audited and approved by the governor shall be paid by the State treasurer upon the warrant of the comptroller.

SEC. 6. *And be it enacted,* That this act shall be deemed a public act and shall take effect immediately.

Approved May 22, 1894.

NEW YORK.

AN ACT in relation to agriculture, constituting articles one, two, three, four, and five of chapter thirty-three of the general laws.

ARTICLE IV.

SEC. 60. *Suppression of infectious and contagious disease.*—Whenever any infectious or contagious disease except tuberculosis and glanders affecting domestic animals shall be brought into or break out in this State, the commissioner of agriculture

shall take measures to promptly suppress the same and to prevent such disease from spreading.

SEC. 61. *Commissioner to issue notice.*—He shall issue and publish a notice stating that a specified infectious or contagious disease exists in any designated county or other geographical district of the State, and warning all persons to seclude in the premises where they may be at the time all animals within such county and district that are of a kind susceptible to contract such disease, and ordering all persons to take such precautions against the spreading of the disease as the nature thereof may, in his judgment, render necessary or expedient, and which he may specify in such notice. Such notice shall be published in such newspapers and be posted in such manner as the commissioner may designate, and as, in his judgment, are most likely to give notice thereof.

SEC. 62. *Farms to be quarantined.*—The commissioner, or an assistant commissioner, shall order any premises, farm, or farms where such disease exists, or recently existed, to be put in quarantine, so that no domestic animal be removed from or brought to the premises or places quarantined, and shall prescribe such regulations as he may judge necessary or expedient to prevent the communication of the disease by infection or contagion in any way from the places so quarantined.

SEC. 63. *Detention and destruction of animals.*—The commissioner, or an assistant commissioner, may order all or any animals coming into the State to be detained at any place or places for the purpose of inspection and examination. He may prescribe regulations for the destruction of animals affected with infectious or contagious disease and for the proper disposal of their hides and carcasses, and of all objects which might carry infection or contagion. Whenever, in his judgment, necessary for the more speedy and economical suppression or prevention of the spread of any such disease, he may cause to be slaughtered, and to be afterwards disposed of, in such manner as he may deem expedient, any animal or animals which, by contact or association with diseased animals, or by other exposure to infection or contagion, may be considered or suspected to be liable to contract or communicate the disease sought to be suppressed or prevented.

SEC. 64. *Employment of veterinary surgeons.*—The commissioner may employ such and so many medical and veterinary practitioners, and such other persons as he may from time to time deem necessary, to assist him in discharging the duties imposed upon him by this article, and may fix their compensation. All persons now employed by the governor for such purposes shall continue in the employ of the commissioner upon the same terms until such employment shall be terminated or modified by the commissioner. No animal shall be destroyed by the commissioner, or by his order, on the ground that it is a diseased animal, unless first examined by a medical or veterinary practitioner in the employ of the commission under this section, nor until such practitioner renders a certificate to the effect that he has made such examination, that in his judgment such animal is affected with a specified infectious or contagious disease, or that its destruction is necessary in order to suppress or aid in suppressing such disease, or to prevent such disease, or to prevent the spread thereof, specifying the reasons for such necessity.

SEC. 65. *Regulations, and the enforcement thereof.*—The commissioner may prescribe such regulations as in his judgment may be thought suited for the suppression or prevention of the spread of any such disease, and for the disinfection of all premises, buildings, railway cars, vessels, and other objects from or by means of which infection or contagion may take place or be conveyed. He may alter or modify, from time to time, as he may deem expedient, the terms of all notices, orders, and regulations issued or made by him, and may at any time cancel or withdraw the same. He may call upon the sheriff or deputy sheriff to carry out and enforce the provisions of any notice, order, or regulation which he may make, and all such sheriffs and deputy sheriffs shall obey and observe all orders and instructions which they may receive from him in the premises.

SEC. 66. *Penalties.*—Any person violating, disobeying, or disregarding the terms of any notice, order, or regulation issued or prescribed by the commissioner under this article shall forfeit to the people of the State the sum of one hundred dollars for every such violation.

SEC. 67. *Expenses.*—All expenses incurred by the commissioner in carrying out the provisions of this article and in performing the duties herein devolved upon him shall be audited by the comptroller as extraordinary expenses of the department of agriculture, and paid out of any moneys in the treasury appropriated for such purposes.

SEC. 68. *Compensation to owners of animals destroyed.*—The actual value at the time they are killed of any animals slaughtered under the provisions of this article shall be paid to the owners of such animals. For the purpose of ascertaining and determining such value, the commissioner, or any agent appointed by him under this article, shall appoint one appraiser, the owner of the animals killed shall appoint another, and the two thus appointed shall select a third, and the three shall appraise

the amount to be paid to the owner of the animals. The board of claims shall have exclusive jurisdiction to hear, audit, and determine all claims which shall arise under the provisions of this article for compensation for animals slaughtered, and to allow thereon such sums as should be paid by the State. No compensation shall be made to any person who has wilfully concealed the existence of disease among his animals or upon his premises, or who in any way by act or by wilfull neglect has contributed to spread the disease sought to be suppressed or prevented.

SEC. 69. *Federal regulations.*—The commissioner of agriculture may accept, in behalf of the State, the rules and regulations prepared and adopted by the Commissioner of Agriculture or the Secretary or Department of Agriculture of the United States, under any act of Congress for the establishment of a bureau of animal industry or to prevent the exportation of diseased cattle or to provide means for the extirpation and suppression of pleuro-pneumonia and other contagious diseases among domestic animals, and shall cooperate with the authorities of the United States in the enforcement of the provisions of any such act.

SEC. 70. *Rights of Federal inspectors.*—The inspectors of the Bureau of Animal Industry of the United States shall have the right of inspection, quarantine, and condemnation of animals affected with any contagious, infectious, or communicable disease, or suspected to be so affected or that may have been exposed to any such disease, and for such purposes they may enter upon any ground or premises; they may call the sheriffs, constables, and peace officers to assist them in discharge of their duties in carrying out the provisions of any such act; and all sheriffs, constables, and peace officers shall assist such inspectors when so requested, and such inspectors shall have the same powers and protection as peace officers while engaged in the discharge of their duties. This State shall not be liable for any damages or expenses caused or made by such inspectors.

* * * * * *

SEC. 91. This chapter shall take effect immediately.

Approved by the governor April 10, 1893.

AN ACT to amend the agricultural law and the penal code relative to violations of the same.

The people of the State of New York, represented in senate and assembly, do enact as follows:

SECTION 1. Section twenty-six of the agricultural law is amended as follows:

"SEC. 26. *Manufacture and sale of imitation butter prohibited.*—No person, by himself, his agents, or employés, shall produce or manufacture out of or from any animal fats or animal or vegetable oils not produced from unadulterated milk, or cream from the same, any article or product in imitation or semblance of natural butter produced from pure, unadulterated milk or cream of the same; nor shall any person solicit or take orders for the same, or offer the same for sale, or mix, compound with or add to milk, cream, or butter any acids or other deleterious substance, or any animal fats or animal or vegetable oils not produced from milk or cream, so as to produce any article or substance or any human food in imitation or in the semblance of natural butter, nor sell, keep for sale, or offer for sale any article, substance, or compound made, manufactured, or produced in violation of the provisions of this section, whether such article, substance, or compound shall be made or produced in this State or elsewhere."

SEC. 2. Section four hundred and eight-a of the Penal Code is amended as follows:

"SEC. 408*a*. *Violations of agricultural law.*—Any person who disregards, disobeys, or violates any proclamation, notice, order, or regulation, lawfully issued or prescribed by the Commissioner of Agriculture for the suppression or prevention of the spread of infectious or contagious diseases among domestic animals, or who violates any of the provisions of sections eighty and eighty-two of article five of the agricultural law, is guilty of a misdemeanor; every person who violates any of the provisions of article two of said chapter is guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment of not less than one month nor more than six months, or by both such fine and imprisonment, for the first offense, and by six months' imprisonment for the second offense; and any person who violates any of the provisions of article three of said chapter is guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars."

SEC. 3. This act shall take effect immediately.

Approved May 3, 1894.

OREGON.

AN ACT to amend an act entitled "An act to prevent the spread of contagious animal diseases," approved February 25, 1889.

Be it enacted by the legislative assembly of the State of Oregon,

SECTION 1. That section 6 of an act entitled "An act to prevent the spread of contagious animal diseases," approved February 25, 1889, be, and the same is hereby, amended so as to read as follows:

"SEC. 6. That it shall be the duty of said State veterinarian, upon receipt of such information from a stock inspector of any county that any contagious or infectious disease does exist, to immediately examine, or deputize a competent person to examine, all animals reported to be diseased, and if he finds that such animals are infected with a contagious or infectious disease, he shall promptly take such measures as he may deem expedient and necessary to prevent the spread of the disease; he shall also immediately notify the commission of his actions, which shall be subject to the approval of the commission, who shall subsequently instruct him how to proceed, and prescribe such rules and regulations as in their judgment the exigencies of the case may require for the effectual suppression and eradication of the disease; and for that purpose the State veterinarian may list and describe the domestic animals affected with such disease, and those which have been exposed thereto and included within the infected district or premises so defined and quarantined, with such reasonable certainty as would lead to their identification; and no domestic animal liable to become infected with the disease, or capable of communicating the same, shall be permitted to enter or leave the district, premises, or grounds quarantined except by the authority of the commission. When, in the opinion of the commission, it shall be necessary to prevent the spread of contagious or infectious disease among the live stock of the State, to destroy animals affected with, or which have been exposed to any such disease, it shall be determined what animals shall be killed, and appraise the same as hereinafter provided and cause the same to be killed and the carcasses disposed of as in their judgment will best protect the health of domestic animals of the localities. When, in the opinion of the commission, any of the live stock of the State are infected with tuberculosis, the commission shall have the power to instruct and authorize the State veterinarian to apply to such animals as are suspected of having tuberculosis the 'tuberculin' test."

Passed by the senate February 4, 1895.

Passed by the house February 22, 1895.

AN ACT to repeal an act entitled "An act to amend section 3 of an act approved February 25, 1889, entitled 'An act to amend section 3350, section 3351, section 3353, section 3354, and section 3362, and to repeal section 3359 and section 3360 of Title I of Chapter XXXVIII of the Miscellaneous Laws of Oregon, as compiled and annotated by William Lair Hill,'" approved February 18, 1891, and to amend section 3352 and sections 3353 and 3354 of the Laws of Oregon, as compiled and annotated by William Lair Hill.

Be it enacted by the legislative assembly of the State of Oregon, That an act entitled "An act to amend section 3 of an act approved February 25, 1889, entitled 'An act to amend section 3350, section 3351, section 3353, section 3354, and section 3362, and to repeal section 3359 and section 3360 of Title I of Chapter XXXVIII of the Miscellaneous Laws of Oregon, as compiled and annotated by William Lair Hill,'" approved February 18, 1891, be, and the same is hereby, repealed.

SEC. 2. That section 3352 of the Laws of Oregon, as compiled and annotated by William Lair Hill, be, and the same is hereby, amended so as to read as follows: "SEC. 3352. Any person, company, corporation, or association desiring to move his or their sheep which are not sound or are infected or affected with scab or any infectious or contagious disease shall obtain from the inspector a traveling permit; but such permit shall only be granted for the purpose of moving said sheep to the nearest place where they may be treated for said disease, and by such route as the inspector may designate. Any person, company, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars; and any party injured or damaged by the reason of the moving of said sheep shall be entitled to recover off of said person, company, or corporation, by a civil action, three times the amount of damages, direct and consequential, that said party has actually sustained by reason thereof."

SEC. 3. That section 3353 of the Laws of Oregon, as compiled and annotated by William Lair Hill, be, and the same is hereby, amended so as to read as follows: "SEC. 3353. Whenever, upon examination of any herds or bands of sheep, kept or herded

within any county of the State of Oregon, the stock inspector of such county shall find such band or herd of sheep, or any portion of them, infected with scab or scabies, or any contagious or infectious disease, it shall be his duty forthwith to take charge of such herd or band of sheep and keep the same from contact with other sheep until he has cured them of such contagious or infectious disease, giving notice in writing to the owner or person in charge of such herd or band of infected sheep that he has so taken possession, the reason therefor, and the place where such sheep shall be kept until cured of the disease with which they may be infected. Immediately upon taking possession of any band or herd of sheep, as provided in the foregoing section, the inspector shall proceed to apply to such infected band or herd of sheep proper remedies for the cure of the disease of which such sheep may be infected. If said sheep are infected with scab or scabies, he shall, within fifteen days from the date of taking possession of such sheep, thoroughly dip said sheep with a dip of recognized virtue in the cure of such disease, such dip to be selected by the inspector and applied under his direction; and he shall thereafter, at least once and as many more times as may be necessary to effect a cure of said disease, dip said sheep thoroughly, as provided in this section, with an interval between the dippings of not less than twelve nor more than seventeen days. And when cured of such infectious disease, the inspector shall so notify the owner or person in possession thereof at the time the inspector took possession of such diseased sheep. Such inspector shall then quarantine all the corrals, pastures, and ranges in which they have been confined or herded upon since they were first discovered to be affected with such contagious disease, by closing such corrals and posting a notice thereon warning the public of the infection therein and to refrain from occupying such corrals with bands or herds of sheep for a period of not less than three nor more than nine months, under penalty as hereinafter specified, and by posting two notices in two conspicuous places upon such range or pasture, warning the public of the infection thereon and to refrain from pasturing or herding thereon for a period of not less than thirty nor more than ninety days thereafter, under penalty as hereinafter specified.

"Any person or persons who shall confine any sheep in any corral or pasture or herd upon any range while under quarantine shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than two hundred and fifty dollars. All expenses incurred by the stock inspector in the performance of his official duties as above specified, including the expenses incurred in taking possession of any infected band of sheep, the care of the same, the remedies used and the expense of applying the same, the wages of assistants employed, compensation of said inspector at the rate of ($3.00) three dollars per day for such day or part thereof in which he may be engaged in attending to the dipping of such sheep, shall become a lien upon said sheep, and the inspector shall hold the sheep until the same is paid; or if it be not paid within ten days after notice of cure of said disease as herein provided, the inspector may, after ten days' advertisement thereof in some newspaper of general circulation in the county wherein such sheep are, proceed to sell such sheep, or as many thereof as may be necessary, in the manner provided by law for the sale of personal property under execution, and from the proceeds of such sale he shall pay all charges incurred under the terms of this act, together with the expenses of advertising and sale of such sheep, and shall render the surplus, if any, to the owner or person in lawful possession of such sheep, taking his receipt therefor for any and all sheep returned to him after such sale."

Stock inspectors, in enforcing this act, shall take into consideration the condition of the weather, the lambing period of sheep, and shall observe the conditions thereof as follows: "He shall not dip any band or herd of sheep, or any part thereof, when the weather is of such severity as to endanger the lives of the same by so dipping; he shall not dip any band of ewes, or any part of them in which there are ewes with lambs, at any time from the first of March to the first of May of any year; that in Lake County he shall not dip any ewes with lambs, from the first day of April to the first day of June. Between the first day of January and the first day of May in each year, all sheep being then west of the Cascade range of mountains in Oregon, shall be exempt from the provisions of this act. Any stock inspector who, having taken into his possession any band or herd of sheep as by this act provided, shall by gross negligence or malfeasance in office cause the owner or owners thereof to sustain damage shall be, together with his sureties, liable for all damage sustained by reason of such gross negligence or malfeasance in office, together with all costs in collecting the same, which shall be recovered in a civil action before any court having jurisdiction thereof, and the proceedings shall be the same in all respects as in other civil actions."

SEC. 4. That section 3354 be amended so as to read as follows: "SEC. 3354. The stock inspector of the several counties of this State shall receive the following annual salaries for their services, to be paid quarterly by their respective counties, to wit: Of Baker County, four hundred dollars; of Benton County, twenty-five

dollars; of Clatsop County, twenty-five dollars; of Coos County, twenty-five dollars; of Columbia County, twenty-five dollars; of Crook County, eight hundred dollars; of Curry County, two hundred dollars; of Douglas County, one hundred dollars; of Gillian County, five hundred dollars; of Grant County, eight hundred dollars; of Harney County, three hundred and fifty dollars; of Jackson County, two hundred dollars; of Josephine County, twenty-five dollars; of Klamath County, one hundred dollars; of Lake County, eight hundred dollars; of Lane County, twenty-five dollars; of Linn County, twenty-five dollars; of Marion County, twenty-five dollars; of Morrow County, eight hundred dollars; of Multnomah County, twenty-five dollars; of Malheur County, five hundred dollars; of Polk County, twenty-five dollars; of Sherman County, three hundred dollars; of Tillamook County, twenty-five dollars; of Umatilla County, four hundred dollars; of Union County, eight hundred dollars; of Wasco County, eight hundred dollars; of Wallowa County, three hundred dollars; of Washington County, twenty-five dollars; of Yamhill County, twenty-five dollars; but the county courts of the respective counties may, in their discretion, when sitting for the transaction of county business, increase or decrease the salaries of such inspectors in their respective counties. The inspectors shall also be allowed to collect a fee of three dollars per day for every day or part of a day in which he shall be engaged in inspecting sheep for the purpose of granting traveling permits or certificates of soundness, together with ten cents per mile for the distance necessarily traveled by him in making such inspections, except at semiannual inspections: *Provided,* That no person, company, or corporation owning or controlling any band or bands of sheep, and holding a certificate of soundness issued by the inspector of the proper county within thirty days of such time as such person, company, or corporation shall desire to move said band or bands of sheep, shall be required to have a traveling permit for the purpose of moving said sheep from one locality to another within the county in which such sheep are located. Any inspector at any time granting a permit to allow any stock to travel without first having examined said stock shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars; and for any violation or a failure on the part of any inspector of stock to comply with any of the requirements of this act, it is hereby made the duty of the respective district attorneys of the counties where such inspector may reside to forthwith institute, in the name of the State of Oregon, action upon his official bond against said inspector and his sureties for the enforcement therein provided for."

SEC. 5. All acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

Filed in the office of the secretary of state February 21, 1893.

TEXAS.

AN ACT to provide for the protection of domestic animals, for the creation of a live stock sanitary commission, for the establishing of live stock quarantine lines, rules, and regulations; to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act.

SECTION 1. *Be it enacted by the legislature of the State of Texas,* That there shall be appointed by the governor, and with the consent of the senate, a live stock sanitary commission of the State of Texas, composed of three members. Before entering upon the duties of their office said commissioners shall take and subscribe to the usual oath of office and file the same with the secretary of state; and they shall also, before entering upon the performance of their duties, execute a bond, to be approved by the state comptroller, in the sum of ten thousand dollars each, conditioned that they will faithfully perform the duties of their office, which said bond they shall file with the secretary of state. The term of office of said commissioners shall be for a period of two years next from the day of their qualification, and until their successors shall have been appointed and qualified.

SEC. 2. The commissioners whose appointment is provided for in the preceding section shall each be practical live-stock raisers in the State of Texas, and shall have been actively engaged in said business for at least five years next preceding the date of their appointment, and shall be bona fide residents of and stock raisers in the particular section of the State from which they may be appointed. One of said commissioners shall be appointed from the west, one from the south, and one from the eastern portion of said State.

SEC. 3. It shall be the duty of the commission provided for in the first section of this act to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, whether said diseases exist in Texas or elsewhere; and for this purpose they are hereby authorized and empowered to establish, maintain, and enforce such quarantine lines and sanitary rules and regulations as they

may deem necessary. It shall also be the duty of said commission to cooperate with live stock quarantine commissioners and officers of other States and Territories, and with the United States Secretary of Agriculture in establishing such interstate quarantine lines, rules, and regulations as shall best protect the live-stock industry of this State against Texas or splenetic fever. It shall be the duty of said commission, upon receipt by them of reliable information of the existence among the domestic animals of the State of any malignant disease, to go at once to the place where any such disease is alleged to exist, and make a careful examination of the animals believed to be affected with any such disease, and ascertain, if possible, what, if any, disease exists among the live stock reported to be affected, and whether the same is contagious or infectious, and if said disease is found to be of a malignant, contagious, or infectious character, they shall direct and enforce such quarantine lines and sanitary regulations as are necessary to prevent the spread of any such disease. And no domestic animal infected with disease, or capable of communicating the same, shall be permitted to enter or leave the district, premises, or grounds so quarantined, except by authority of the commissioners. The said commission shall also, from time to time, give and enforce such directions and prescribe such rules and regulations as to separating, feeding, and caring for such diseased and exposed animals as they shall deem necessary to prevent the animals so affected with such disease from coming in contact with other animals not so affected. And the said commissioners are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

SEC. 4. When the commission shall have determined the quarantine lines and other regulations necessary to prevent the spread among domestic animals of Texas of any malignant, contagious, or infectious disease found to exist among the live stock of this State, or elsewhere, and given their orders as hereinbefore provided, prescribing quarantine and other regulations, they shall notify the governor of the State of Texas, who shall issue his proclamation, proclaiming the boundary of such quarantine around such diseased stock, and the orders, rules, and regulations prescribed by the commission; and such commission shall give such notice as may to them seem best to make the quarantine established by them effective.

SEC. 5. The commission provided for in this act shall have power to purchase such supplies and material as may be necessary to carry into full effect all orders by them given, as hereinbefore provided, which said supplies and material and wages and expenses of the veterinarian hereinafter provided for shall be paid out of the moneys hereinafter appropriated, on the warrant of the comptroller, issued to said commissioners upon their filing with the Comptroller an itemized account thereof, properly verified by affidavit: *Provided*, That no material or supplies may be purchased by the commissioners except such as may be necessary to carry into effect the quarantine and other regulations prescribed by them. And such commissioners shall have the power to employ a competent veterinarian to assist them in the investigation of the diseases amongst the live stock of this State whenever they may deem the services of one necessary: *Provided*, That the compensation of such veterinarian shall not exceed the sum of ten dollars per day and actual expenses while so employed: *And provided further*, That the expenditures for the compensation of veterinarians shall not exceed nine hundred dollars in any one year.

SEC. 6. It shall be the duty of the railway corporations doing business in the State to cleanse and disinfect the cars used by them in transporting live stock in or through this State at such times and places as the commissioners may designate, whenever in the opinion of the commissioners any such order may be necessary to prevent the spread of infectious or contagious disease. Any such corporations violating the provisions of this section shall be liable to a penalty of five hundred dollars for each offense, to be recovered in a civil action, to be prosecuted under the direction of the attorney-general in the name of the State of Texas.

SEC. 7. It shall be the duty of any owner or person in charge of any domestic animal or animals, who discovers, suspects, or has reason to believe that any of his domestic animals, or domestic animals in his charge, are affected with any contagious or infectious disease, to immediately report such fact, belief, or suspicion to the commission and to the sheriff and county clerk of the county in which said domestic animals are found.

SEC. 8. Any person who shall knowingly bring into this State any domestic animal which is infected with any contagious or infectious disease, or any animal which has been exposed to any contagious or infectious disease, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five hundred nor more than five thousand dollars.

SEC. 9. Any person who owns or is in possession of live stock, which is reported to be affected with any infectious or contagious disease, who shall refuse to allow the State live stock sanitary commissioners to examine such stock, or shall hinder or obstruct the said commissioners in any examination of, or in any attempt to examine such stock, shall be deemed guilty of a misdemeanor, and upon conviction thereof

shall be fined in any sum not less than one hundred dollars nor more than five hundred dollars.

SEC. 10. Any person who shall have in his possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be affected, who shall permit such animal to run at large, or who shall keep such animal where other domestic animals, not affected by or previously exposed to such disease, may be exposed to its contagion or infection, or who shall ship, drive, sell, trade, or give away such diseased animal or animals which have been exposed to such infection or contagion, or who shall move or drive any domestic animal in violation of any direction, rule, regulation, or order of the live stock sanitary commission of Texas establishing and regulating live stock quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars nor more than five hundred dollars for each of such exposed or diseased domestic animals which he shall permit to run at large, or sell, ship, drive, trade, or give away in violation of the provisions of this act: *Provided*, That any owner of domestic animal which has been affected with or exposed to any contagious or infectious disease may dispose of the same, after having obtained from the State live stock sanitary commissioners a bill of health for such animal or animals.

SEC. 11. The commissioners appointed by the governor, as hereinbefore provided, shall receive five dollars per day for the time by them necessarily employed in the discharge of the duties required by this act; and said commissioners hereinbefore provided for shall receive in addition thereto the actual and necessary traveling expenses incurred by them and paid in the discharge of the duties required of them by the provisions of this act; which said per diem and expenses shall be drawn from the treasury on the warrant of the comptroller, to be issued to said commissioners on their filing with the comptroller an itemized account thereof, properly verified by affidavit.

SEC. 12. The live stock sanitary commission shall have power to call upon any sheriff, deputy sheriff, or constable to execute their orders, and such officers shall obey the orders of said commissioners; and the officer or officers performing these duties shall each be entitled to two dollars and fifty cents per day for himself and horse, which payment shall be made upon a sworn account, approved by said commissioners: *Provided*, That said expenses under this section shall not exceed in any event five hundred dollars per annum.

SEC. 13. Except as otherwise provided in this act, any person who shall violate, disregard, or evade, or attempt to violate, disregard, or evade, any of the provisions of this act, or who shall violate, disregard, or evade, or attempt to violate, disregard, or evade, any of the rules, regulations, orders, or directions of the live stock sanitary commission, establishing and governing quarantine, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than five thousand dollars.

SEC. 14. The sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of the general revenue fund not otherwise appropriated, for the purpose of carrying into effect the provisions of this act: *Provided*, That the exhaustion of the appropriation herein made shall terminate the liability of the State for the two years next following, and absolve it from any future claims of any and all persons who may have claims, real or pretended, under the provisions of this act.

SEC. 15. Any quarantine line that may be fixed by the live stock sanitary commission, against Texas or splenetic fever, shall be so fixed as to conform to the Federal quarantine line established, or that may be established, by the United States Department of Agriculture: *Provided, however*, That as to the shipment or movement of live stock within the limits of the State, such quarantine lines, and the regulations in relation thereto, shall not apply from the 1st day of November to the 15th day of May of each year: *Provided*, The quarantine line now recognized and established by Federal authority within the State of Texas shall not be changed prior to December 1, 1893, but said line as is now established shall remain in full force until said date.

SEC. 16. No quarantine line shall be established at any time, nor regulations made in relation thereto, unless two of the live stock sanitary commissioners agree thereto.

SEC. 17. This act does not repeal any law in force for the protection of domestic animals, but is cumulative thereto.

SEC. 18. Whereas there is now no existing live stock quarantine law in the State of Texas, and whereas the people of this State, engaged in the honorable occupation of raising live stock, are now subject to harsh and severe Federal quarantine laws and regulations, which greatly depreciate the value of live stock in this State, creates an emergency, and an imperative public necessity and emergency exist requiring that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is hereby suspended.

Approved April 20, A. D. 1893.

VERMONT.

AN ACT to amend sections four thousand and twenty-one, four thousand and twenty-two, and four thousand and twenty-three of the revised laws.

It is hereby enacted by the general assembly of the State of Vermont, SECTION 1. Section 4021 of the revised laws is hereby amended so as to read as follows, viz: "When bovine tuberculosis or any contagious disease exists in the State among cattle or other domestic animals the board of agriculture may quarantine all infected animals, or such as they suppose have been exposed to the contagion; may prohibit any animal from passing on or over any of the highways near the place of quarantine; may enter upon any premises where there are animals suspected to have bovine tuberculosis or any contagious disease; may employ such expert help and means as they deem necessary to a thorough investigation of such diseases; may make all investigations and regulations they deem necessary for the detection, prevention, treatment, cure, and extirpation of such disease, but shall not apply the tuberculin test without the consent of the owner of the cattle, but in quarantine regulations against cattle imported from without the State the tuberculin test may be applied; and they may condemn and order killed any cattle or other domestic animals believed by said board to be infected with bovine tuberculosis or any contagious disease, and may order the bodies of the same buried or burned, as in their judgment the case may require; may forbid the sale or removal from the premises of any dairy product from cows that are believed to have bovine tuberculosis. Any person who shall knowingly violate or refuse to comply with any order or regulation of such board, made under the authority of this section, shall be fined not more than two hundred dollars, or be imprisoned not more than two years, or both."

SEC. 2. Section 4022 of the revised laws is hereby amended so as to read as follows: "If any person shall sell or offer to sell any cattle or other domestic animals known to him to be infected with bovine tuberculosis or any contagious disease, or any disease dangerous to the public health, or shall sell or offer to sell any part or parts of such cattle or other domestic animals, he shall be fined not more than two hundred dollars or be imprisoned not more than two years, or both."

SEC. 3. The value of all cattle or other domestic animals, killed by the written order of the board of agriculture shall be appraised by one of said board and a disinterested person selected by the owner of the condemned animals; but if these two can not agree upon the amount of the appraised value of the animals, they shall select a third disinterested person, who, together with them, shall appraise the animal, such appraisal to be made just before killing, and on a basis of health. The limit of the appraisal of cattle shall be forty dollars. A post-mortem examination shall be made, and if the animal be found affected with bovine tuberculosis, or any disease dangerous to the public health, the owner of the animal shall receive one-half the appraised value; but if no bovine tuberculosis or disease dangerous to the public health be found, the owner of the animal shall receive the full amount of the appraisal, and in addition shall receive the slaughtered animal. The amount which the owner is entitled to receive shall be paid by the State to the owner of such animal or animals upon a written order, signed by the member of the board in charge, and countersigned by the secretary of said board. No indemnity shall be paid to the owner of condemned cattle or other domestic animals that have not been owned and kept in the State for at least six months previous to the discovery of the disease. Any person who shall knowingly violate, or refuse to comply with any regulations made by such board of agriculture, under the authority and provisions of this section, shall be fined not more than two hundred dollars or imprisoned not more than two years, or both.

SEC. 4. All expenses incurred by the board under the provisions of this act shall be allowed by the State auditor, upon the approval of the governor, and be paid by the State.

Approved November 27, 1894.

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. } DOCUMENT No. 206.

MAP OF THE UNITED STATES.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of the Interior submitting an estimate of appropriation for engraving on copper a map of the United States.

FEBRUARY 6, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 5, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, dated the 4th instant, submitting an estimate of appropriation, $12,000, for engraving on copper the map of the United States prepared by the General Land Office.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 24, 1896.

SIR: As the manuscript map from which the annual edition of the Land Office United States maps are reproduced has become so much worn and defaced as to render it impossible to make further additions or corrections thereon, or to be again used for purposes of reproduction, I have the honor to request that an appropriation of $12,000 be asked of Congress for engraving a General Land Office map of the United States on copper.

Under the present system of photolithographing the General Land Office map of the United States it becomes necessary at stated intervals to redraw on drawing paper the entire map, as an original from which the photolithograph is made should consist of clear, sharp, and black lines. After several years handling the lines on the original manuscript

map become broken, pale, and in many cases entirely obliterated; hence the necessity every five or six years to recompile in ink the original map. Each recompilation necessitates an expenditure of from $5,000 to $6,000. Should the sheets which comprise this map be engraved on copper, a clearer, sharper, and much more artistic map can be reproduced each year than heretofore, and at the mere cost of transferring from the plate to the stone and printing, plus the nominal cost of making such corrections and additions on the plates as the most recent surveys may dictate. These copper plates, which become the property of the Government, would naturally cost in their origination somewhat more than would an ink drawing on paper, but when it is considered that they will last for ages, and that all additions and corrections can be made thereon with but small expense, thus obviating the necessity for extensive expenditures every five or six years for recompiled maps on paper, it will appear obvious that in the space of a very few years the engraved map will not only prove to be much more economical than the map heretofore issued by this office, but it will possess the very valuable qualities of being always sharp, clear, and much more artistic.

I am, very respectfully,

HARRY KING,
Chief of the Drafting Division.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

[First indorsement.]

GENERAL LAND OFFICE,
January 25, 1896.

Respectfully forwarded to the honorable Secretary of the Interior with my approval.

S. W. LAMOREUX,
Commissioner.

[Second indorsement.]

DEPARTMENT OF THE INTERIOR,
February 4, 1896.

Approved, and respectfully forwarded, through the honorable Secretary of the Treasury, for the favorable consideration of Congress.

HOKE SMITH,
Secretary.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 207.

EFFICIENCY OF EMPLOYEES IN DEPARTMENT OF LABOR.

LETTER

FROM

THE COMMISSIONER OF LABOR,

REPLYING TO

The House resolution of the 4th instant, relating to the efficiency of employees in certain Executive Departments.

FEBRUARY 6, 1896.—Referred to the Committee on Reform in the Civil Service and ordered to be printed.

DEPARTMENT OF LABOR,
Washington, D. C., February 5, 1896.

SIR: In response to House resolution of February 4, 1896, relative to the number and salaries of the employees in this Department who are below a fair standard of efficiency, I have the honor to say that I can name but two who would by any interpretation be classified as below a fair standard of efficiency. One receives a salary of $2,000 per annum. He has been one of the most efficient men in Government service, but is now suffering from a complication of ills, which warrants his classification as a little below a fair standard. The other is paid a salary of $1,000 per annum, and while fairly efficient in the work we give him to do, on the standard set by this Department he is somewhat below. His inefficiency, whatever it is, results from ill health, caused by a wound received in the war. Neither of these men is inefficient on account of age.

I am, very respectfully, your obedient servant,

CARROLL D. WRIGHT,
Commissioner.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 208.

EFFICIENCY OF EMPLOYEES IN THE DEPARTMENT OF AGRICULTURE.

LETTER

FROM

THE SECRETARY OF AGRICULTURE,

REPLYING TO

The House resolution of the 4th instant relating to the efficiency of employees in certain Executive Departments.

FEBRUARY 6, 1896.—Referred to the Committee on Reform in the Civil Service and ordered to be printed.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., February 5, 1896.

SIR: In compliance with the following resolution, dated February 4, 1896:

Resolved, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Public Printer, the Civil Service Commissioners, the Commissioner of Labor, and the Commissioner of Fish and Fisheries be requested to furnish the House of Representatives with the following information, namely, the number of employees there are in their respective Departments, and the salaries of each, who are below a fair standard of efficiency, together with the cause of their inefficiency; and if inefficiency is caused by age, state the age at which they became inefficient.

In the Department of Agriculture there are no employees who are known to be below a fair standard of efficiency. I have endeavored to eliminate from the force all who seemed below "a fair standard of efficiency."

Respectfully, yours,

J. STERLING MORTON,
Secretary.

Hon. THOMAS B. REED,
Speaker House of Representatives, Washington, D. C.

O

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 209.

SURVEYS FOR LOCATION OF DAMS NOS. 2, 3, 4, AND 5, OHIO RIVER.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of surveys for location of Dams Nos. 2, 3, 4, and 5 of the Ohio River series.

FEBRUARY 6, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 5, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers, dated February 3, 1896, together with a copy of a report from Lieut. Col. Amos Stickney, Corps of Engineers, dated January 23, 1896, of the results of surveys for location of Dams Nos. 2, 3, 4, and 5 of the Ohio River series, made by him in compliance with the provisions of the river and harbor acts of July 13, 1892, and August 17, 1894.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., February 3, 1896.

SIR: I have the honor to submit the accompanying report of the 23d ultimo, with four maps and one profile, by Lieut. Col. Amos Stickney, Corps of Engineers, of the results of surveys for location of Dams Nos. 2, 3, 4, and 5 of the Ohio River series, made to comply with provisions of the river and harbor acts of July 13, 1892, and August 17, 1894.

After the survey (authorized by the act of 1892) for Dam No. 2 was made, it was in contemplation to change the arrangement of lifts of the several dams, which would make some change in the locations. The report on the survey of No. 2 was therefore held until the matter was decided upon and the other surveys were made.

The proposed locks and dams are located by these surveys as follows: No. 2 at Merrimans, No. 3 near "The Trap," No. 4 at Legionville, No. 5 at Freedom; and Colonel Stickney estimates that they can be constructed at a cost of $750,000 each.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEYS FOR LOCATION OF MOVABLE DAMS NOS. 2, 3, 4, AND 5, OHIO RIVER.

UNITED STATES ENGINEER OFFICE,
Cincinnati, Ohio, January 23, 1896.

GENERAL: I have the honor to submit the following report upon the surveys of locations for Dams Nos. 2, 3, 4, and 5 of the Ohio River series. The survey for Dam No. 2 was made under the provision of the river and harbor act approved July 13, 1892, and those for Nos. 3, 4, and 5 under the provision of the river and harbor act of August 17, 1894.

After the survey for Dam No. 2 was made, it was in contemplation to change the arrangement of lifts of the several dams, which would make some change in the locations. The report on the survey of No. 2 was therefore held until the matter was decided upon and the other surveys were made. The arrangement of lifts as originally contemplated, and which it has been finally decided to adhere to, is as follows:

	Feet.
Lift at No. 1 (Davis Island)	6.125
Lift at No. 2 (Merrimans)	7.741
Lift at No. 3 (near "The Trap")	7.741
Lift at No. 4 (Legionville)	7.641
Lift at No. 5 (Freedom)	4.726
Lift at No. 6 (below mouth of Beaver River)	7.155

It will be noted that the lift of No. 5 is only 4.726 feet, while those at Nos. 2 and 3 are 7.741 feet.

In movable dams it is of course desirable to avoid as far as possible extreme heights, which largely increase the difficulties of maneuvering, and a study was made to more nearly equalize the lifts of the four dams between No. 1, now in operation, and No. 6, now building, but it was finally concluded that under the conditions of the problem, which principally related to surface slope of river and suitable sites for locks and dams, that the original distribution of lifts should be adhered to. Inquiries were made concerning prices at which the necessary land could be purchased at the site of Dam No. 2, which developed the fact that property owners would not sell at what was deemed fair prices, and it is therefore considered advisable to have the necessary land at all of the sites expropriated and its value determined by due process of law.

Four maps (tracings) are transmitted herewith showing the surveys for the approximate locations of the Dams 2, 3, 4, and 5, with the approaches from above and below.

At No. 2 the lock is placed upon the island or left side of the river, and with the navigable pass placed next to the lock, the open river navigation would be changed by the removal of the Merriman dike

from the right to the left side of the river, thus avoiding the existing short crossing and providing a much better channel.

At No. 3 the lock is placed on the right shore, and the navigable pass would come in fair line with the open river channel.

At No. 4 the lock is placed on the right shore, and the navigable pass would come as nearly as possible in the line of the open river channel.

At No. 5 the lock is placed on the right shore, so that the navigable pass would be directly in the open river channel.

The foundations of the works would be in coarse gravel, which is found to be quite suitable at Davis Island Dam and at Lock and Dam No. 6, where the work is underlaid by a proper thickness of concrete.

The length of pools as provided by the proposed locations of dams is as follows:

From confluence of Allegheny and Monongahela rivers to Davis Island.

	Miles.
Pool No. 1	4.75
Pool No. 2	4.90
Pool No. 3	1.55
Pool No. 4	7.40
Pool No. 5	5.50
Pool No. 6	5.75

The total fall from Pool No. 1 to what would be Pool No. 7, when a seventh dam is built, would be 41.129 feet.

The distance from the confluence of the Allegheny and Monongahela rivers to Dam No. 6 is 29.85 miles.

With the construction of these six dams a great gain will be made for the interests of navigation. There would be ample room for the storage of vast amounts of coal, and the worst part of the river would be made safe for navigation. It is possible, too, that by flushing the river below the dams navigation would be rendered practicable on smaller rises, which, if not furnishing enough water to carry tows all of the way down the river, would at least permit them to go part way, and thus prevent the congested condition that is now witnessed every year in Pittsburg Harbor.

The cost of the Davis Island Dam was, in round figures, $1,000,000. From the experience gained in that construction and of the Lock No. 6, it is believed that the four locks and dams can be built for an average cost of $650,000 each, but to provide for contingencies, which might be considerable from flood damages and delays, the estimate is placed at $750,000 each.

The reports on the preliminary examinations are appended.*

Accompanying the maps is a tracing showing the profile of the river.

Very respectfully, your obedient servant,

AMOS STICKNEY,
Lieutenant-Colonel of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

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* Omitted. Printed in Annual Report of the Chief of Engineers for 1893, pages 2533–2535.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 211.

PURCHASE OF REINDEER FOR ALASKA.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of the Interior submitting an estimate of appropriation for the purchase of reindeer for Alaska.

FEBRUARY 7, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 6, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, under date of the 4th instant, in relation to the purchase of reindeer for Alaska, and submitting an estimate of appropriation in the sum of $45,000 for that object under the new policy recommended for the fiscal year ending June 30, 1897.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, D. C., January 17, 1896.

SIR: In a former communication I had the honor to acknowledge the receipt of a communication from you, transmitting a letter from the Acting Secretary of the Treasury, dated January 4, in which he states that "in view of the amount of work required of revenue vessels in Bering Sea, hereafter it will be impracticable for them to transport reindeer from the Siberian coast, as has been the custom in years past."

This notification necessitates a change in the plans for procuring reindeer. During the past summer and fall there have been frequent consultations in this office over the desirability of adopting a new plan that would secure a more speedy introduction of reindeer into Alaska than has been found possible through the means hitherto used. In the four

years during which we have purchased reindeer the number procured has averaged from 130 to 150, but the necessities of the work are so great that we ought to procure annually a much larger number, hence I was not unprepared for the change, the need of which was mentioned in my annual statement for 1895. This accords with your own view as expressed in your annual report, lately printed.

I had thought it might be necessary to place a purchasing party in Siberia who should remain during the winter, and in that way secure a large herd ready for transportation when the ship should arrive in the summer. But in view of the recent decision of the honorable the Secretary of the Treasury it seems now that a more effective plan will be to enlist the commercial trading companies of the North Pacific and Bering Sea to furnish 1,000 or 1,500 head of reindeer per annum for two years. With a view to ascertain whether anything is practicable in this line I had already commenced as early as last November a correspondence with four of the leading commercial companies engaged in trade in that region. Three of them have replied that they were not in a position to take up the work. The fourth company is willing to undertake to deliver 1,500 head a year at such points upon the Alaskan coast as shall be designated at the rate of $30 per head. This plan would relieve the Bureau of much anxiety and prove as cheap to the Government as the past method. Up to this time the deer have averaged the Bureau from $20 to $25 each, but counting in the expenses of the revenue cutter during the four weeks it is employed in the work, the average expense would probably exceed over $50 per head.

It has been demonstrated that the deer thrive better on the American than on the Siberian side, and that there is pasturage in Alaska for from four to five million head, and as the straits of the natives for sufficient food increases slowly from year to year it is important that the work of providing this new food supply should be hastened as much as possible.

I have the honor therefore to recommend the policy of advertising for bids to deliver reindeer at various points along the Alaskan coast, and that Congress be asked to provide $45,000, or as much thereof as may be necessary, to purchase 1,500 head of reindeer during the year closing June 30, 1897.

I have the honor to be, very respectfully, your obedient servant,

W. T. HARRIS, *Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
February 4, 1896.

Approved and respectfully forwarded through the honorable Secretary of the Treasury for the favorable consideration of Congress.

HOKE SMITH, *Secretary.*

Sketch Map of
ALASKA
Prepared for U.S. Bureau of Education
By the U.S. Coast and Geodetic Survey

To accompany Reindeer Report by Sheldon Jackson, D.D.
U.S. General Agent of Education
in Alaska
1893.

P O L A R S E A

E A S T E R N S I B E R I A

B E R I N G S E A

A L A S K A

A L E U T I A N I S L A N D S

N O R T H A M E R I C A

Herds of Domesticated Reindeer
Land of the Tchuktchees
Herds of Domesticated Reindeer
Land of Koraks
Good Pasturage for Reindeer
Arctic Circle
Gulf of Anadir
Norton Sound
Bristol Bay
Kotzebue Sound
King I.
Nunivak I.
St. Matthew
St. Paul
Pribilof Ids.
St. George
Umnak I.
Sannagin Ids.
Altu
Agattu
Kyska
Amchitka
Tanaga
Kanaga
Adakh
Atka
Unmak
Herald I.
Wrangell I.
Pt. Barrow (Presbyterian)
Pt. Belcher
Mackenzie R.
Ft. McPherson
La Pierre House
C. Lisburne
Pt. Hope (Episcopal)
Noatak R.
Kowak R.
Cape Blossom
C. Serze
Uttatuin
Whalen
Diomede Is.
East Cape
Village
Holy Cross Bay
C. Numiemo
C. Clarence
C. Rodgers
C. Ignatiuskoi
C. Denbigh
Port Clarence
Cape Prince of Wales (Congregational)
Reindeer Station
Golovin
Indian Pt.
Power Bay
St. Lawrence
C. Navarin
C. Olutorsk
Nulato (Roman Catholic)
Koyukuk R.
St. James Mission (Episcopal)
Tenana R.
Yukon
Porcupine River
Ft. Yukon
Rampart House (Ch. of England)
Buxton (Ch. of England)
Ft. Reliance
Ft. Selkirk (Ch. of England)
Unalaklik (Swedish Lutheran & Evangelical)
St. Michaels (Greek Catholic)
Anvik (Episcopal)
Koserefski (Roman Catholic)
Ikogmut Miss. (Greek Catholic)
Kusilvak (Roman Catholic)
Oohogamute (Roman Catholic)
Oogavigamute (Greek Catholic)
Ogavigamute (Moravian)
Vancouver (Roman Catholic)
Bethel (Moravian)
Quinehaha (Moravian)
Carmel (Moravian)
Kolmakovski (Greek Catholic)
Unalaska (Methodist) (Greek Catholic)
Kenai
Cook Inlet
Copper R.
Mt. St. Elias 19150 Ft.
Kutchek
Yakutat (Swedish Evangelical)
Chilkoot
Haines (Presbyterian)
Chilkat
(Presbyterian & Roman Catholic)
Juneau
Douglas (Quaker)
Hoonah (Presbyterian)
Sitka
(Presbyterian) (Greek Catholic)
Wrangell
(Presbyterian)
Klawak
(Presbyterian) Jackson
Masset (Ch. of England)
(Presbyterian) Duncan
Metlakahtla
Kiginak (Baptist) Wood I.
Togiak
Nushagak R.
Kuskokwim R.
Yukon R.
Porcupine R.
Mackenzie R.
Copper R.
Stikine R.
Chilkat R.
Taku R.
Skeena R.
Nass R.

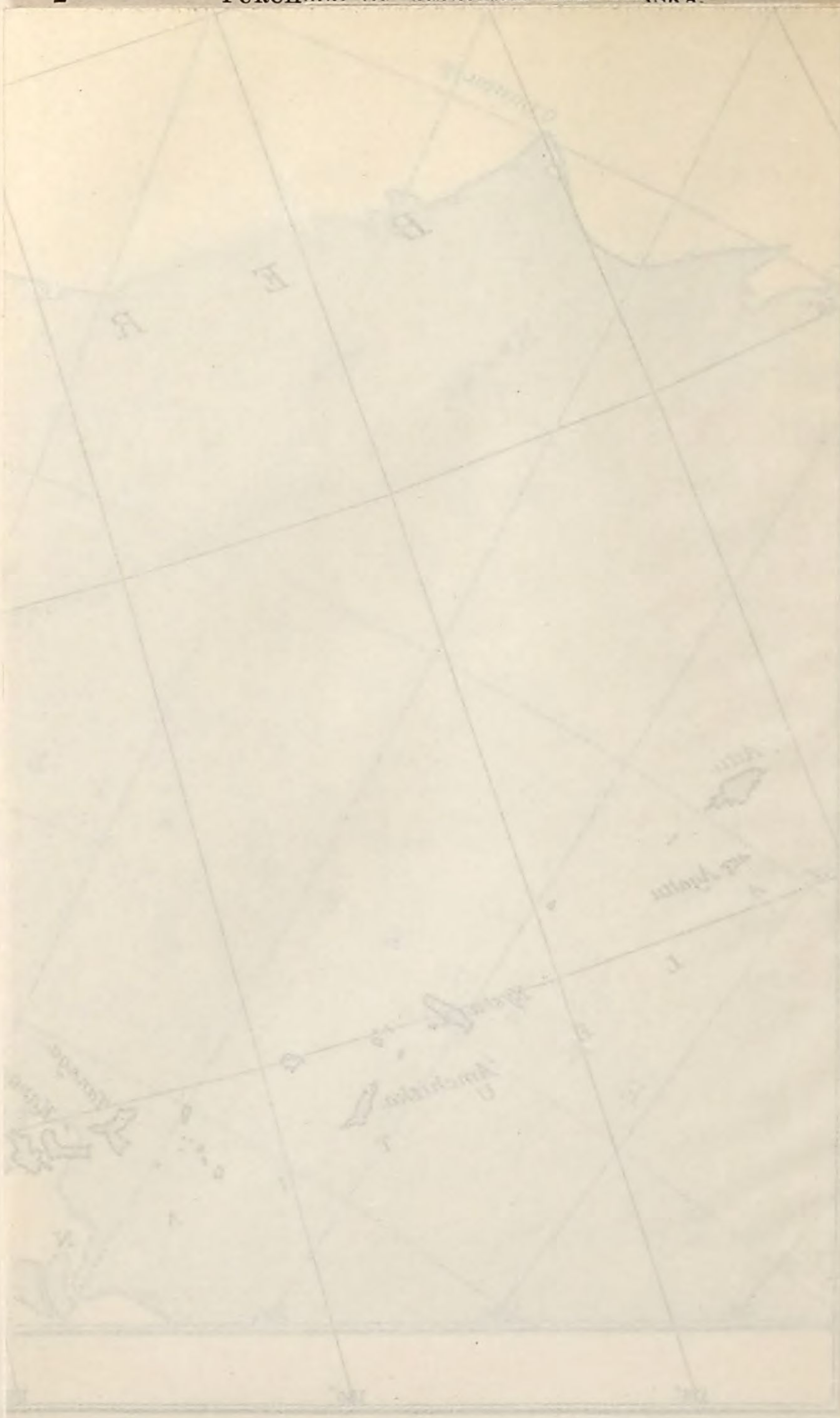
770 Statute Miles
816 Statute Miles
550 Statute Miles
633 Statute Miles
481 Statute Miles
482 Statute Miles
1278 Statute Miles
To San Francisco 2369 Statute Miles

Statute Miles
100 50 0 100 200 300

180° 176° 172° 168° 164° 160° 156° 152° 148° 144° 140° 136°
66° 64° 62° 60° 58° 56° 54° 52°

THE NORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.

H Doc. 211 54 1



54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 212.

EFFICIENCY OF EMPLOYEES IN THE DEPARTMENT OF JUSTICE.

LETTER

FROM

THE ATTORNEY-GENERAL,

REPLYING

To the House resolution of February 4, in relation to the efficiency of employees.

FEBRUARY 7, 1896.—Referred to the Committee on Reform in the Civil Service and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, D. C., February 6, 1896.

SIR: In reply to the resolution of the House of Representatives, dated February 4, 1896, I have the honor to report that the Department of Justice has no employees who are below a fair standard of efficiency.

Very respectfully,

JUDSON HARMON,
Attorney-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 213.

MRS. H. H. STEVENS, EXECUTRIX.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. H. H. Stevens, executrix, against The United States.

FEBRUARY 7, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, February 6, 1896.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 8605. Wilkins Stevens *v.* The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Wilkins Stevens, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed November 12, 1894.

[Court of Claims. Congressional case No. 8605. Mrs. H. H. Stevens, executrix of Wilkins Stevens, deceased, *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States, for their use during the late war for the suppression of the rebellion was transmitted to the court by the Committee on War Claims of the House of Representatives on the 18th day of February, 1892.

On a preliminary inquiry the court, on the 12th day of November, 1894, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 18th day of December, 1895.

Gilbert Moyers, esq., appeared for claimant, and the Attorney-General, by Samuel A. Putman, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States residing in Randolph County, State of Alabama, where decedent resided during the late war of the rebellion; that at different times during said period the United States forces, by proper authority, took from said decedent quartermaster stores and commissary supplies of the value of $2,266 and appropriated the same to the use of the United States Army, as follows:

2 fine mules, black and sorrel	$400.00
2 common mules, black, at $150 each	300.00
2 fine young mares, at $150 each	300.00
1 fine carriage	450.00
1 fine patent-lever watch	50.00
500 pounds bacon, at 20 cents	100.00
1,000 pounds fodder, at $1 per 100	10.00
2,000 pounds oats, at 60 cents per 100	12.00
100 bushels corn, at $2 per bushel	200.00
50 bushels wheat, at $2 per bushel	100.00
20 yards jeans	20.00
50 pounds sugar, at 20 cents per pound	10.00
20 pounds coffee, at 20 cents per pound	4.00
50 pounds lard	10.00
Gold and silver coin	300.00
Total	2,266.00

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

There were taken from the place of claimant's decedent, in Randolph County, State of Alabama, during the war of the rebellion, by the military forces of the United States for the use of the Army, stores and supplies consisting of horses, mules, fodder, and provisions, which at the time and place of taking were reasonably worth the sum of seven hundred and fifty dollars ($750), for which no payment appears to have been made.

No allowance is made for carriage, watch, jeans, or gold and silver coin claimed as taken, as such taking, if it occurred, was by way of depredation.

BY THE COURT.

Filed February 3, 1896.
A true copy.
Test this 6th day of February, 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 214.

ADDITIONAL EMPLOYEES IN OFFICE OF ASSISTANT TREASURER AT BOSTON, MASS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the United States assistant treasurer at Boston asking for additional employees in his office.

FEBRUARY 8, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 8, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the United States assistant treasurer at Boston, of the 3d instant, in relation to the necessity existing for an additional messenger, and an additional watchman and janitor in his office, and to recommend that provision be made in the legislative, executive, and judicial appropriation bill now pending, for such increased force in his office, as follows:

One messenger, per annum	$1,000
One watchman and janitor, per annum	850

Respectfully, yours,

S. WIKE, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF ASSISTANT TREASURER UNITED STATES,
Boston, Mass., February 3, 1896.

DEAR SIR: I desire to call your attention to the urgent necessity existing for the appointment of an additional messenger and an additional watchman and janitor. The messenger is needed inside the office to carry money to and from the vaults to the counters, as well as to deliver and open packages when received. At present, when any money is wanted by the paying teller or redemption clerk, they are obliged to leave their windows and go to the vaults and get it, leaving their desks unoccupied. This is not only a cause of delay, but is decidedly unbusinesslike, but can not be avoided unless this additional messenger be allowed. The watchman is needed, for the reason that, leaving out Sundays and holidays, they are obliged to work 69 hours each week, to which must be added the additional time put on them by Sundays and holidays and early closing on Saturdays. I trust these requests may be granted and a letter transmitted to Congress asking that an appropriation may be made therefor.

Very respectfully,

J. H. O'NEIL,
Assistant Treasurer United States.

The SECRETARY OF THE TREASURY.

O

Ohio River.

Plan of location of Movable Dam No 2.

Scale = 1" = 150 ft. January 1893. A. M. Bowmann.

Surveyed and plotted under the direction of

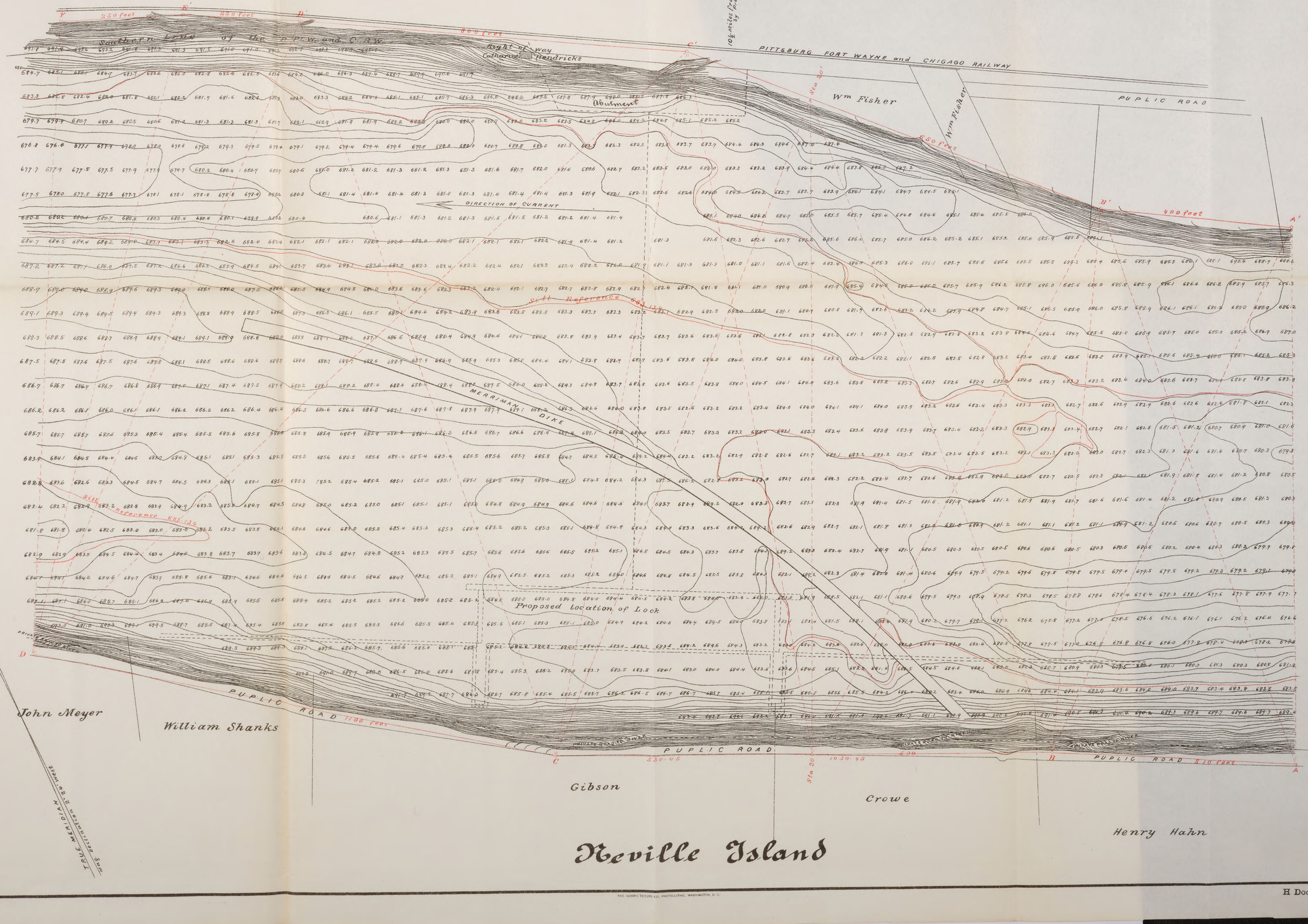
Lieut. Col. Amos Stickney,

Corps of Engineers. U.S.A.

Sent to Brig Genl Wm. P. Craighill Chief of Engineers U.S. Army
to accompany report of January 23rd 1896

Amos Stickney
Lt Col of Engrs U.S.A

Proposed level of Sill of Dam 683.134



THE NORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.

Douds

George H. Bennett

Charles Bruce

William Mc Donald

Andrew Mc Donald

Andrew Mc Donald

C. Irwin Mc Donald

Astr. North
Var. 2° 23' E.
Mag. North

Elm Tree
Diam. 7oo'487 Elev. above tide

Blazed Elm Tree

Elev. above tide 487.84

Leaystown Run

Shore line

Sill Level

DIRECTION OF CURRENT.

APPROXIMATE LOCATION OF LOCK.

Pittsburg Ft. Wayne and Chicago Railway

LEGIONVILLE STA.

Legionville Run

Harmony Society's Lands-

Note_ Courses are all Magnetic-

PROPOSED LEVEL OF SILL OF DAM 667.752.

OHIO RIVER

PLAN OF THE LOCATION OF

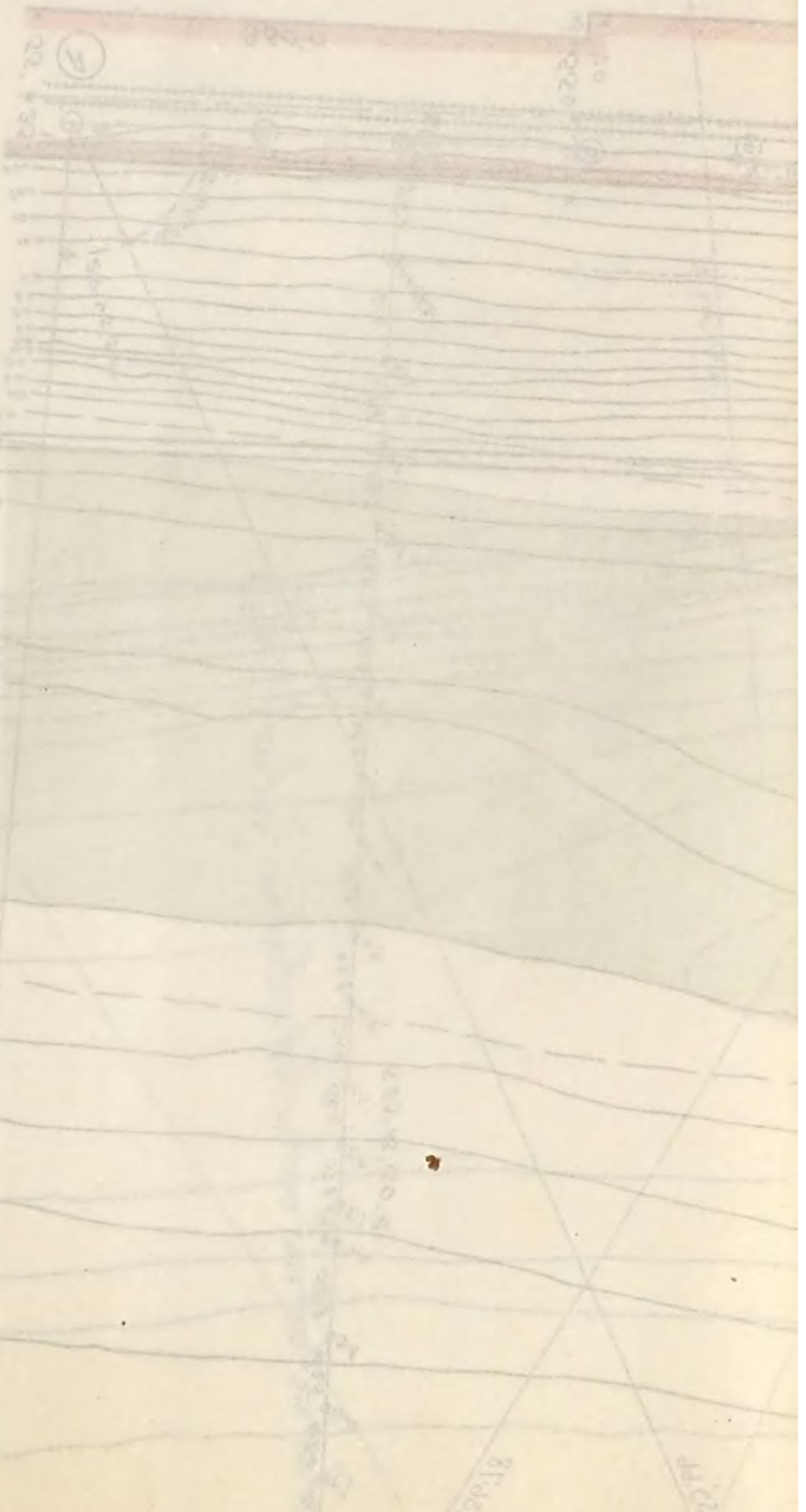
MOVABLE DAM Nº 4

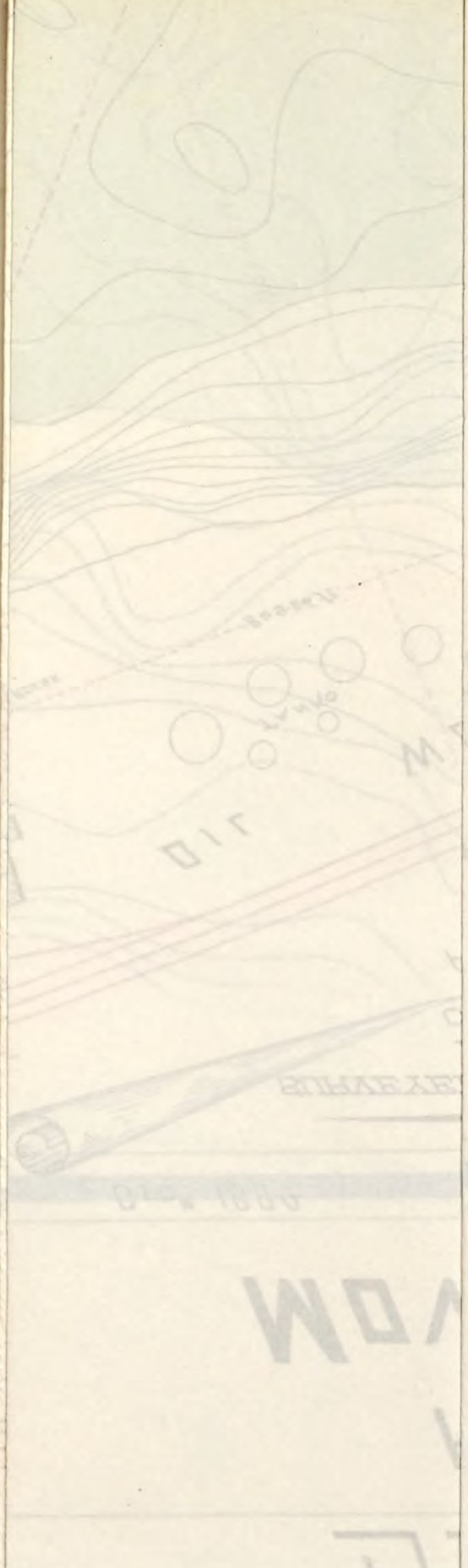
Scale 1"=150' ARTHUR M. BOWMAN C.E. May 14th 1895

SURVEYED AND PLATTED UNDER THE DIRECTION OF
LIEUT. COL. AMOS STICKNEY
CORPS OF ENGINEERS U.S.A.

Sent to Brig Genl W. P. Craighill
Chief of Engineers U.S. Army
with report of Jan 23 1896
Amos Stickney
Lt Col of Engrs

THE NOBLE PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.





H Doc 209 54 1

Profile of Ohio River.

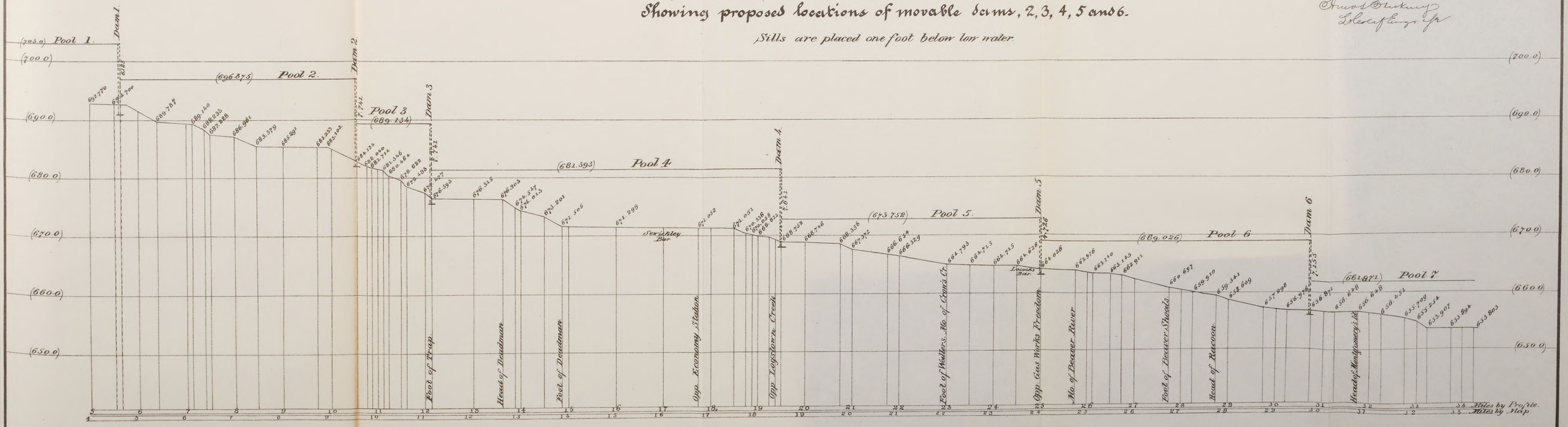
from Davis to Montgomery's Island

Showing proposed locations of movable dams, 2, 3, 4, 5 and 6.

Sills are placed one foot below low water.

Sent to Brig. Genl. Wm. P. Craighill Chief of Engineers of Army to accompany report of January 23rd 1896

Arnold Sticknay
Asst. Engr.



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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 215.

PARTING AND REFINING BULLION.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Director of the Mint relative to the amendment of the act of June 19, 1878, providing for the expenses of parting and refining bullion.

FEBRUARY 8, 1896.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT,
February 7, 1896.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Director of the Mint, of the 4th instant, relative to an amendment to the act of June 19, 1878 (20 Stat. L., p. 191), providing for the expenses of parting and refining bullion, so as to include for such expenses the proceeds of the sale of by-products and spent acids arising from parting and refining processes, and to recommend that the following clause be included in the legislative, executive, and judicial appropriation bill, viz:

And refining and parting of bullion shall be carried on at the mints of the United States and at the assay office at New York. And it shall be lawful to apply the moneys arising from charges collected from depositors for these operations, and also the proceeds of the sale of by-products and spent acids arising from parting and refining processes pursuant to law, so far as may be necessary, to defraying in full of the expenses thereof, including labor, materials, and wastage. But no part of the moneys otherwise appropriated for the support of the mints and the assay office at New York shall be used to defray the expenses of parting and refining bullion.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT, BUREAU OF THE MINT,
Washington, D. C., February 4, 1896.

SIR: Referring to the letter of this Bureau, under date of March 14, 1895, and the decision of the Comptroller of the Treasury in reference to the "expenses of parting and refining bullion at the mints and the assay office at New York" (copies of which are inclosed herewith), I have the honor to request that you will recommend the insertion in the bill making appropriation for legislative, executive, and judicial expenses of the Government for the fiscal year 1897 the following provision:

And refining and parting of bullion shall be carried on at the mints of the United States and at the assay office at New York. And it shall be lawful to apply the moneys arising from charges collected from depositors for these operations, and also the proceeds of the sale of by-products and spent acids arising from parting and refining processes pursuant to law so far as may be necessary to defraying in full of the expenses thereof, including labor, materials, and wastage. But no part of the moneys otherwise appropriated for the support of the mints and the assay office at New York shall be used to defray the expenses of parting and refining bullion.

Respectfully, yours,

R. E. PRESTON,
Director of the Mint.

Hon. JOHN G. CARLISLE,
Secretary of the Treasury.

TREASURY DEPARTMENT, BUREAU OF THE MINT,
Washington, D. C., March 14, 1895.

SIR: I respectfully call your attention to the fact that since July 1, 1885, the expenses of parting and refining bullion have exceeded the amount of charges collected for these operations. Prior to July 1, 1885, it was the practice to apply the proceeds of sulphate of copper and waste acid to the bills for copper plates and acid. Under date of October 28, 1885, the First Comptroller of the Treasury decided that the revenue derived from these two sources must be paid into the Treasury as "proceeds of old material sold," as provided by section 3618 of the Revised Statutes. His decision works a great detriment to the mint refineries, as will be shown by the following statement:

Prior to 1886 the nitric-acid process for parting gold and silver was used in all the Government refineries. After the metal had undergone any preparatory operations that might be needed, the silver, copper, and other metals, in combination with the gold, was dissolved by the acid. The gold, being insoluble in it, remained in a powdery and spongy condition, and when properly washed and dried, melted, fluxed, and cast into molds, yielding fine gold bars. The solution containing the silver, copper, etc., was mixed with a strong solution of salt, the chlorine of which united with the silver, forming an insoluble chloride of silver. This, after being washed, was further treated with zinc, the chlorine from the silver forming chloride of zinc, and, being soluble in water, was washed from the silver. The latter was then dried, melted, fluxed, and cast into fine bars. The solutions washed, respectively, from the chloride of silver and the reduced silver were run into the sewer. Thus, no by-products, whether of copper or spent acid in the first or of zinc in the second, were recovered.

By the substitution of sulphuric acid for nitric acid in the process, about four-fifths of the cost of the solvent (acid) was saved, the price of nitric acid being about five times that of sulphuric acid, and the solvent power (consequently the amount required) being about the same. This was one large result, but by the use of copper as the reducing agent, instead of the double agency of salt and zinc in the other case, to recover the silver dissolved in the sulphuric acid, a new element in calculating the cost of the process was introduced. Having regard simply to the original price of the one as compared with the other, that of the copper was greater, but as a part of the sulphuric acid, the sulphate of copper solution taken from the silver was, by evaporation and crystallization, separated into two constituents, viz, blue vitriol and sulphur liquor, containing a very small quantity of iron, copper, etc. The latter was taken by the acid contractor and credit given by him on his bills at a price agreed upon. The greater part of the blue vitriol was exchanged, on competitive bidding, for plate copper ready for use as a reducing agent. What was not required for this

use was credited (with the waste liquor) on the acid bills. This course was equivalent to recovering both the copper and acid for fresh use by further chemical operations in our own mint refineries, which, however, would have been troublesome and expensive.

The following statement exhibits the cost of gold and copper purchased, and the proceeds of sale of blue vitriol and waste liquor at the New York assay office, for the nine years ending June 30, 1894:

Cost of sulphuric acid purchased	$131,899.88
Cost of copper plate purchased	63,187.03
Total	195,086.91
Amount received for blue vitriol sold	81,164.66
Amount received for waste acid sold	27,049.06
Total	108,213.72

Thus it will be seen that 55.47 per cent of the cost of the acid and copper is covered by the sale of blue vitriol and spent acid.

Section 3524 of the Revised Statutes provides, "That the charges to depositors shall be fixed from time to time, by the Director with the concurrence of the Secretary of the Treasury, so as to equal but not exceed, in their judgment, the actual average cost to each mint and assay office, of the material, labor, wastage and use of machinery employed in each of the cases above mentioned."

Section 3552 provides, "That the moneys arising from all charges and deductions, on and from gold and silver bullion, shall, from time to time, be covered into the Treasury, and no part of such deductions shall be expended in salaries or wages." The same section provides, "That all expenditures of the mints and assay offices not herein otherwise provided for shall be paid from appropriations made by law on estimates, submitted by the Secretary of the Treasury."

Paragraph 6, page 379, Supplement to the Revised Statutes of the United States, provides as follows (act of June 19, 1878):

"The refining and parting of bullion shall be carried on at the mints and the assay office at New York, and it shall be lawful to apply the moneys arising from charges collected from depositors for those operations pursuant to law, so far as may be necessary to defraying in full of the expenses thereof, including labor, materials, and wastage, and no part of the moneys otherwise appropriated for the support of the mints and assay office at New York shall be used in defraying the expenses of parting and refining bullion."

In fixing the charges from time to time to be imposed at the several mints and the assay office at New York, prior to July 1, 1885, the probable amount that would be received from the sulphate of copper (blue vitriol) and spent acid sold would always be taken into consideration, as both were derived from copper and acid purchased with moneys collected from depositors who were equitably entitled to the benefit of the revenue derived from these sources, by having the charges on their bullion reduced to a minimum.

The sulphate of copper, as made in the acid refineries of the mints, is in no sense an old or waste material. It is, in fact, a newly and purposely made commercial product of high purity and beautifully crystallized; nor can it well be considered a biproduct.

As heretofore stated, nitric acid was formerly used for parting and the greater expense of this acid, together with the complete loss of zinc used, necessitated high parting charges, and, as has been shown, it was found that sulphuric acid and metallic copper could be substituted for the nitric acid and zinc, with a decided saving to the depositor, if the manufacture of a third article, viz, that of copper sulphate, be added to that of fine gold and siver bars.

The change was made and the scale of charges to the depositor was based upon the cost of the material, labor, etc., less the value of the blue vitriol, made from copper and purchased with the money collected from him.

The sulphate of copper was intended and would appear to be as much a legitimate product of the refinery as bars of gold and silver bullion.

Since July 1, 1885, the expenses of parting and refining bullion in excess of the charges collected for the same have been paid from a surplus to the credit of the appropriation for parting and refining, and which was due to the fact that the proceeds of sulphate of copper and sulphuric liquor were applied prior to that date in part payment for acid and copper required. This surplus is now exhausted and it is necessary to either close some of the mint refineries and make contracts with private refineries or increase the charges, either of which would create dissatisfaction on the part of the depositors.

If the proceeds of sulphate of copper and waste acid could be credited as formerly on the accounts for copper and acid purchased, the refineries of the mint would again be self-sustaining; otherwise, the advantages to the depositor of bullion in the change to the sulphuric-acid process is defeated.

As the ruling of the First Comptroller in October, 1885, diverts a material part of the refinery earnings to a purpose entirely foreign to the parting of bullion, we have presented the anomaly of a handsome profit being turned into the Treasury from refining operations, while the charges imposed are not sufficient to meet the expenses. The depositor has in the meanwhile paid full market rates for parting his bullion, and any increase in the charges would tend to drive him, against his wish, to private refineries.

All private refineries of gold and silver in the United States use the sulphuric-acid process.

Respectfully, yours,

R. E. PRESTON, *Director of the Mint.*

Hon. JOHN G. CARLISLE,
Secretary of the Treasury.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, D. C., April 11, 1895.

SIR: I am in receipt, by your reference, of a letter from the Director of the Mint of March 14, 1895, in which he calls attention to the practice prevailing at the various mints of the United States of paying into the Treasury as a miscellaneous receipt the biproducts resulting from the operation of parting and refining bullion, and asks to have that practice discontinued and the proceeds of such biproducts made available for use in defraying the expenses of parting and refining bullion.

The practice of paying into the Treasury the proceeds of such biproducts arises from the provisions of sections 3617 and 3618 of the Revised Statutes, which require the gross amount of all moneys received from whatever source for the use of the United States, and the proceeds of old material, condemned stores, supplies, and other property of any kind, except the proceeds of certain kinds of property therein enumerated, to be deposited and covered into the Treasury as miscellaneous receipts without any abatement of deduction whatever.

It is urged that the clause in the legislative, executive, and judicial appropriation act of June 19, 1878 (20 Stat., 191), which reads, "And refining and parting of bullion shall be carried on at the mints of the United States and at the assay office at New York. And it shall be lawful to apply the moneys arising from charges collected from depositors for these operations pursuant to law so far as may be necessary to the defraying in full of the expenses thereof, including labor, materials, and wastage. But no part of the moneys otherwise appropriated for the support of the mints and the assay office at New York shall be used to defray the expenses of refining and parting bullion," requires that the proceeds of such biproducts shall be used, together with the moneys arising from the charges collected from depositors, for the purpose of paying the expenses of parting and refining bullion.

It was held by Comptroller Durham on October 28, 1885, in a letter addressed to the then Director of the Mint, that the proceeds of such biproducts should be deposited into the Treasury as a miscellaneous receipt under the provisions of section 3618, Revised Statutes, and in that opinion I concur, the practice from that day to this having been in accordance with the opinion then rendered. The same reasons which actuated Congress in providing that the moneys arising from the charges collected from depositors should be applied to the expenses of parting and refining bullion, would no doubt have induced them to include the proceeds of biproducts; but their failure to so include them will not authorize the executive department in violating the clear provisions of section 3618, Revised Statutes.

The matter seems to be a proper one to be drawn to the attention of Congress, but until Congress take some action upon the matter, the present practice, which is in accordance with the law, must continue.

Respectfully, yours,

R. B. BOWLER, *Comptroller.*

The SECRETARY OF THE TREASURY.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. } DOCUMENT No. 216.

POST-OFFICE BUILDING AT WILMINGTON, DEL.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REPLYING TO

The House resolution of February 4, 1896, in regard to the new post-office building at Wilmington, Del.

FEBRUARY 8, 1896.—Referred to the Committee on Public Buildings and Grounds and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 6, 1896.

SIR: I have the honor to acknowledge the receipt of House resolution dated February 4, 1896, requesting information as to what progress has been made in the erection of the new post-office at Wilmington, Del.; what amount of the appropriation has been expended therefor; what amount, if any, has been used in the payment of salaries to superintendents, clerks, supervisors, or others; also, whether the work is now in progress or in a state of suspension, and if the latter, whether any of the salaries were continued to be paid during such suspension, and as to the reasonable probabilities regarding the completion of said building.

In reply, I have to state that the building is under roof, the approaches are complete, the plastering virtually finished. On January 28, 1896, proposals were invited by public advertisement for the interior finish, plumbing, and tower clock, and proposals for the heating apparatus will be invited at an early date.

Of the appropriation for said building there has been expended the sum of $222,962.38, of which amount $16,112 was for salaries.

The work on the building is suspended, the entire contingent force having been discontinued September 30, 1895, with the exception of the superintendent of construction, who was retained at half pay, $3 per day, to care for the Government property.

It is expected that the building will be completed within the present calendar year.

Respectfully, yours,

J. G. CARLISLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 217.

JONATHAN BUZZARD.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Jonathan Buzzard against the United States.

FEBRUARY 8, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, February 7, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional No. 7645. Jonathan Buzzard *v.* The United States.]

This case being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that Jonathan Buzzard, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed November 20, 1893.

[Court of Claims. Congressional case No. 7645. Jonathan Buzzard *v.* The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 23d day of April, 1890.

On a preliminary inquiry the court, on the 20th day of November, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 29th day of January, 1896.

A. J. Willard, esq., appeared for claimant, and the Attorney-General, by Charles W. Russell, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations: That the following property belonging to him was taken from him by the United States Army and used by the said Army, the date place and command being particularly stated below:

In Newton County, Mo., on or about the 1st of January, 1863, by Colonel Foreman's Second Regiment Indian Home Guard Volunteers, United States troops:

500 bushels of corn, at 50 cents per bushel	$250
150 bushels of wheat, at $1 per bushel	150
Total	400

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT:

There were taken from the farm of Jonathan Buzzard, in Newton County, State of Missouri, during the war of the rebellion, by the military forces of the United States for the use of the Army, stores and supplies of those above described, which at the time and place of taking were reasonably worth the sum of two hundred and seventy-five dollars ($275).

It does not appear that any payment had been made for any part thereof.

BY THE COURT.

Filed February 3, 1896.
A true copy.
Test this 7th day of February, A. D. 1896.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

54TH CONGRESS. } HOUSE OF REPRESENTATIVES. { DOCUMENT
1st Session. } { No. 218.

PRELIMINARY EXAMINATION OF WOLF RIVER, TENNESSEE.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of preliminary examination of Wolf River, Tennessee.

FEBRUARY 8, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 6, 1896.

SIR: I have the honor to inclose herewith a letter from the Chief of Engineers, dated February 4, 1896, together with a copy of a report from Capt. Graham D. Fitch, Corps of Engineers, dated January 24, 1896, of the results of a preliminary examination of Wolf River, Tennessee, from its mouth to a point 5 miles above, made by him in compliance with the provisions of the river and harbor act of August 17, 1894.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., February 4, 1896.

SIR: I have the honor to submit the accompanying copy of report, dated January 24, 1896, by Capt. Graham D. Fitch, Corps of Engineers, of the results of a preliminary examination of Wolf River, Tennessee, from its mouth to a point 5 miles above, made in compliance with the requirements of the river and harbor act of August 17, 1894.

For the reasons stated, I concur in the opinion of Captain Fitch that Wolf River is worthy of improvement by the General Government from the mouth to the lower railroad bridge, a distance of about 2 miles.

No survey is needed to enable a project and estimate of cost of improvement to be prepared.

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

PRELIMINARY EXAMINATION OF WOLF RIVER, TENNESSEE, FROM ITS MOUTH TO A POINT FIVE MILES ABOVE.

UNITED STATES ENGINEER OFFICE,
Memphis, Tenn., January 24, 1896.

GENERAL: In compliance with Department letter of August 20, 1894, addressed to Lieut. J. C. Sanford, Corps of Engineers, then in temporary charge of this office, I have the honor to submit the following report of a preliminary examination of "Wolf River, Tennessee, from its mouth to a point five miles above," required by the river and harbor act of August 17, 1894. Under the requirements of the river and harbor act of July 12, 1892, an examination of the lower 2½ miles of this river was made, and a report made thereon to the Chief of Engineers by Capt. S. W. Roessler, Corps of Engineers, under date of April 11, 1893. (See Report of the Chief of Engineers, United States Army, Appendix X 2, p. 2136.)

The condition of the river as to navigation has been somewhat improved since the date of Captain Roessler's report, by the expenditure of about $8,000 from the allotment of $10,000 for this purpose, made under the river and harbor act of August 17, 1894. The work done consisted of removing obstructions, such as piles, stumps, and sunken logs, from the mouth to a point about 8,200 feet upstream, and dredging through the bar at the mouth for a length of about 1,300 linear feet, in which length nearly 18,000 cubic yards of material were removed. Upon the completion of the dredging across the bar there was a navigable channel for boats drawing 3½ feet, when the river was at the lowest stage on record, viz, 2.4 feet below the zero of the Memphis gauge; but at this time the transfer boat of the Memphis and Little Rock Railroad attempted to wash out a basin to enable them to land at their incline, and caused a deposit in the upper end of the dredged channel sufficient to prevent the usual boats engaged in towing logs to the mills from entering. The snagging operations produced a navigable channel, to a point one mile above the mouth, for boats drawing 3½ feet, even at the lowest stage.

The business interests to be benefited by improving Wolf River are:

(1) The Memphis and Little Rock Railroad Company, which transfers annually about 25,000 cars.

(2) The sawmills, most of which are now located along the south bank in close proximity to each other up to a point 10,000 feet above the mouth, where a local railroad bridge with fixed span crosses the river and impedes steamboat navigation. The bridge just mentioned has been constructed for the purpose of giving the sawmills now located on the north bank a railroad connection for shipments of lumber. The mills on this stream represent an investment of $2,000,000.

About one-half of a mile above the lower railroad bridge is a fixed wagon bridge, and about one-half of a mile above this is the fixed bridge

of the Chesapeake and Ohio Railroad. From thence to the five-mile limit from the mouth there are no business interests at present, and the stream at low water is so shallow and full of obstructions as to be impassable for a skiff.

On account of the relative magnitude of the interests in this river dependent upon steamboat transportation, it is my opinion that Wolf River is worthy of improvement by the General Government from the mouth to the lower railroad bridge, a distance of about 2 miles.

* * * No further survey is needed to enable a project and estimate of cost of improvement to be prepared.

Very respectfully, your obedient servant,

GRAHAM D. FITCH,
Captain, Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 220.

EFFICIENCY OF EMPLOYEES IN UNITED STATES COMMISSION OF FISH AND FISHERIES.

LETTER

FROM THE

ACTING COMMISSIONER OF FISH AND FISHERIES,

REPLYING TO

The House resolution of February 4, instant, relating to the efficiency of employees.

FEBRUARY 10, 1896.—Referred to the Committee on Reform in the Civil Service and ordered to be printed.

UNITED STATES COMMISSION OF FISH AND FISHERIES,
Washington, February 7, 1896.

SIR: Replying to the resolution of the House of Representatives of February 4, 1896, calling for information as to the efficiency of the employees of the United States Commission of Fish and Fisheries, I have the honor to state that none of the employees are considered "below a fair standard of efficiency."

Very respectfully,

HERBERT A. GILL,
Acting Commissioner.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 221.

PURCHASE OF LAND ADJACENT TO MILITARY RESERVATION OF KEY WEST BARRACKS, FLA.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Certain recommendations and communications relating to the purchase of certain land adjacent to the military reservation of Key West Barracks, Fla.

FEBRUARY 10, 1896.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 7, 1896.

SIR: I have the honor to transmit herewith a petition of Mrs. Euphemia Maloney, of Key West, Fla., to be reimbursed for the value of certain land belonging to her, containing a little over one-third of an acre (0.372), adjacent to the military reservation of Key West Barracks, Fla., which has been held and occupied by the United States as a part of the military cemetery since 1861, and for rent of from 3 to 5 acres of other land occupied by the military authorities from May 1, 1861, to November 30, 1878, and to invite attention to the indorsements thereon and to the inclosed copies of the report of the Quartermaster-General, dated March 3, 1892, and of reports of investigations, dated December 31, 1884, and February 13, 1886.

The claim seems never to have been disputed; and by act of Congress approved July 22, 1876 (19 Stats. 96), the Secretary of War was authorized to purchase, at a price not to exceed $2,000, the entire parcel then occupied by the United States, but the Department was unable to effect a settlement of the matter, the owner having declined to accept the amount tendered under that act.

The War Department has no authority to purchase the small parcel of land, containing a little over one-third of an acre as stated above, which is included in the military cemetery, and on which a number of Federal soldiers have been buried; and there is no appropriation out of which the use and occupation of any of the land mentioned can be paid for. As many of the soldiers buried on this land died of yellow fever, the removal of their bodies has been interdicted by the health authorities of Monroe County, Fla., and the Department is thus prevented from restoring the parcel included in the cemetery to the owner as directed by said act.

It is requested that Congress make such provision as it may deem proper for the purchase of the parcel included in the military cemetery and for the settlement of the claim for the use and occupation of this parcel and of the parcel restored to the owner November 30, 1878.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The SECRETARY OF WAR,
Washington, D. C.:

The petition of Euphemia Maloney, of Key West, Monroe County, Fla., the widow of Walter C. Maloney, would respectfully represent that she is the owner in fee simple of a portion of tract 7 on the island of Key West, according to the map or plan of said island, which title is undisputed, as will more fully appear upon reference to abstract of title on file in the office of the Honorable Secretary of War, and also see report of D. G. Swain, Judge-Advocate-General United States Army, made December 22, 1883.

That in the year 1861 the United States military authorities at this post took possession of a portion (say from 3 to 5 acres of said land) and erected thereon a number of closet sinks, and inclosed a portion as an addition to the post cemetery, in which there is at present several hundred bodies interred.

That from time to time she has urged upon the War Department the justice of her claim for rent of said lands, and her right to a fair compensation as purchase money for the same, according to the value of adjacent lands. That said importunities were met first in November 25, 1878, by J. L. Guenther, captain Fifth Artillery, commanding post, informing my husband:

> In obedience to instructions from Headquarters, Department of the South, that so much land adjacent to Key West Barracks as has been occupied by the United States, is restored to the possession of yourself and wife, *so far as lies in my power*. The removal of the remains of the dead from that portion occupied as a cemetery is now the subject of correspondence, and will, I trust, be promptly attended to; after the removal of the remains such necessary changes in the boundary wall, etc., as you may desire, will be made.

The matter then rested until the 13th day of February, 1884, when the Honorable Secretary of War issued an order based upon the last paragraph of the Judge-Advocate-General's report of December 22, 1883, on the property of W. C. Maloney, occupied as a national cemetery, under which a board of appraisers convened at Key West on April 9, 1884, one of whom, E. J. Strang, captain and assistant quartermaster, U. S. A., was designated in said order to represent the United States, who made a report (see files War Department, 1908–C, War Department, 1884, G–645, Quartermaster-General's Office, Records April 24, 1884), which was subsequently rejected by Robert Lincoln, Secretary of War, as will appear by letter dated May 3, 1884, to Hon. Wilkinson Call, United States Senator.

Since the period last mentioned no definite steps have been taken by the United States Government to bring the matter to a termination, but on the contrary all appeals have been met by an absolute refusal.

That in view of the present value of said land, arising from the increase of population from 2,500 in 1861 to over 20,000 at present, and

the immediate surroundings changed from a wilderness to a densely crowded city, it being compactly built from its very boundary, a three-story cigar factory now abutting the land in question, your petitioner would respectfully say that, in her opinion, it is to the interest of the Government to have this matter settled at once.

Therefore, your petitioner would humbly pray that some action be taken whereby and under which she may receive compensation by way of rent and purchase money for the lands which have been, and some of which (cemetery) is still, in the possession of the United States.

EUPHEMIA MALONEY.

Respectfully referred to the Secretary of War with the request that he give the claim of Mrs. Maloney careful investigation and make such recommendation as will lead to a settlement.

S. PASCO.

[Second Indorsement.]

WAR DEPARTMENT, *February 25, 1895.*

Respectfully referred to the Quartermaster-General for investigation and report.

By order of the Secretary of War:

JOHN TWEEDALE, *Chief Clerk.*

[Third indorsement.]

WAR DEPARTMENT, *March 5, 1895.*

Respectfully referred to the Judge-Advocate-General for report.

By order of the Secretary of War.

JOHN TWEEDALE, *Chief Clerk.*

[Fourth indorsement.]

WAR DEPARTMENT,
JUDGE-ADVOCATE-GENERAL'S OFFICE,
Washington, D. C., March 9, 1895.

Respectfully returned to the Secretary of War.

This is the claim of Mrs. Euphemia Maloney, of Key West, Fla., to be reimbursed for the value of certain land belonging to her at Key West, which has been held and occupied by the United States as part of the post cemetery since 1861, and for rent of certain other land also occupied by the military authorities from May 1, 1861, to November 30, 1878. The claim appears not to have been disputed, and in March, 1892, the Quartermaster-General submitted an estimate for a "liberal settlement" to be made Mrs. Maloney by an award of $2,058 in full of both demands.

On March 5, 1892, Secretary Elkins communicated this estimate to Hon. Samuel Pasco, United States Senate, with a view to including the same "in a bill of Congress for her relief." No such bill having been passed, Mrs. Maloney has recently resumed her claim in a petition (without date) addressed to the Secretary of War, and this, in an indorsement (without date) by S. Pasco, has been referred to the Secretary of War "with the request that he give the claim careful investigation, and make such recommendation as will lead to a settlement."

This paper appears to have been received at the War Department February 25, 1895, too late to bring the matter effectively before Congress at its recent session.

It is believed that the Secretary of War may well commend this claim as a just one to the consideration of Congress at its next session. It is quite clear that no appropriation now exists which he would be empowered to apply to its payment, and that legislation is essential to authorize its settlement.

G. NORMAN LIEBER,
Judge-Advocate-General.

[Fifth indorsement.]

WAR DEPARTMENT, *March 18, 1895.*

Respectfully returned to the Quartermaster-General to be again brought up at the beginning of the next session of Congress.

By order of the Secretary of War.

JOHN TWEEDALE, *Chief Clerk.*

[Sixth indorsement.]

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, December 18, 1895.

Respectfully returned to the honorable the Secretary of War, inviting attention to preceding indorsements, also to inclosed report of this office dated February 27, 1895, returning papers in the claim of Mrs. Euphemia Maloney, of Key West, Fla., referred by the Hon. S. Pasco, United States Senate, for compensation for a tract of land on island of Key West, alleged to have been taken possession of by the United State military authorities in 1861, and a portion thereof inclosed as an addition to the post cemetery at that place.

R. N. BATCHELDER,
Quartermaster-General, United States Army.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., February 27, 1895.

SIR: I have the honor to return herewith the papers in the claim of Mrs. Euphemia Maloney, of Key West, Fla., referred by the Hon. S. Pasco, United States Senate, for compensation for a tract of land on the island of Key West, alleged to have been taken possession of by the United States military authorities in 1861, and a portion thereof inclosed as an addition to the post cemetery at that place; and to respectfully invite attention to the inclosed copy of a report by the Quartermaster-General on that subject, dated March 3, 1892.

Very respectfully,

R. N. BATCHELDER,
Quartermaster-General, United States Army.

The SECRETARY OF WAR.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., March 3, 1892.

SIR: I have the honor to submit herewith, for such action as you may deem proper, petition of Mrs. Euphemia Maloney, wife of W. C. Maloney, of Key West, Fla., representing that, in the year 1861, the United States military authorities at the post of Key West, Fla., took possession of a portion (some 5 acres) of the land owned by her, and inclosed a part of the same, as an addition to the post cemetery; she therefore prays that an act of Congress be passed for her relief.

The petition, with its accompanying brief of action in the case, was handed into this office by the Hon. S. Pasco, United States Senate, bearing an indorsement requesting that the honorable Secretary of War suggest some terms of settlement that may be included in a bill in order that Mrs. Maloney may get suitable compensation for the use of her land, and that the Government may, if considered advisable, purchase the same.

From the correspondence in this claim it appears that on November 25, 1878, Col. F. L. Guenther, Fifth Artillery, commanding post Key West, Fla., relinquished to W. C. Maloney and wife all of the land in question except about one-third of an acre, inclosed and used as a part of the post cemetery; and that in February, 1884, Capt. E. J. Strang, A. Q. M., U. S. A., was designated by the Secretary of War to act as appraiser on the part of the United States to appraise the land used for cemetery purposes, and on April 15, 1884, he submitted to the Quartermaster-General the report of the board of appraisers as noted in the brief.

February 1, 1890, the Secretary of War, in reply to letter from the Hon. S. Pasco, United States Senate, in reference to this claim (842, W. D., 1890), invites attention to the copies of correspondence (now submitted with petition), in which the principal points of its history are recited, and concludes as follows: "The same conditions of affairs now exist in the matter of the claim, which it would seem can best be remedied by legislation as proposed in the letter of March 17 (1886) referred to."

This appears to have been the last action up to the present time.

As the land, with exception of that portion occupied by the post cemetery, was surrendered to W. C. Maloney and wife in 1878, which fact is admitted in the petition now submitted, it is believed that, if authorized by Congress, a liberal settlement in the case would be as follows, viz:

For rent of the land (about 5 acres) from May 1, 1861, to November 30, 1878 (the date of relinquishment of a portion of the same by the United States), at the rates per annum as recommended by the board of appraisers and approved by the Secretary of War, May 3, 1884	$1,058.00
For purchase of the remainder of the land (understood to be one-third of an acre, more or less) used as a portion of the post cemetery at Key West, Fla., and to include all demands for rent of same from December 1, 1878, to the present date	1,000.00
Total amount	2,058.00

Very respectfully,

R. N. BATCHELDER,
Quartermaster-General, United States Army.

The SECRETARY OF WAR.

ST. FRANCIS BARRACKS,
St. Augustine, Fla., February 13, 1886.

SIR: In obedience to instructions from the War Department, contained in letter from headquarters of the Army, dated January 30, and Orders No. 26, St. Francis Barracks, February 2, 1886, I have the honor to report that I arrived at Key West on the 8th instant, and proceeded to make the inquiries asked for.

On examination of the part of the cemetery claimed by Mr. Maloney, I was unable to verify the number of graves stated in Lieutenant Califf's report, as many of the wooden headboards placed to mark the graves of the "unknown" dead had rotted away, and in many cases all marks of years had been obliterated. I could not find any record of interments at the post. This piece of land was taken by the military authorities during the war for burial purposes. All the available space in this lot of one-third of an acre is covered with graves. The graves were made in a bed of hard limestone rock, only a few inches of sand covering it.

It is thought that there were more than 218 buried there, as there were many cases of yellow fever, all of which were hastily buried after death. From careful inquiries made, I am satisfied that the action of the board of health was not caused by Mr. Maloney. It appears that the attention of the board was called to this matter by the advertisements of the officer in charge of the national cemeteries, inviting proposals to remove the remains from Mr. Maloney's place. Some of these advertisements were sent to the ordnance sergeant at the barracks, and were posted by him.

Asst. Surg. J. T. Porter, United States Army, who lives at Key West, is president of the board of health of Monroe County. The members of the board have the reputation of being energetic and efficient, and are watchful to prevent the appearance of yellow fever at Key West, as it would be fatal to the prosperity of the place if it gained a foothold there.

The past records show that yellow fever has appeared in the town whenever the remains of yellow fever cases have been removed. It has been stated that a temperature of 77° is required to develop the germs of the disease. When I arrived at Key West I found the change from St. Augustine a very marked one, straw hats and summer clothes being necessary for comfort at a time when severe cold weather was passing over the North. At Key West the average mean temperature for the winter months is 70°. In view of the above I would recommend that the remains of our soldiers be undisturbed, and in justice to the owner, that a fair compensation be paid him for the rent of the land since its occupation by the Government, and that it be purchased from him at a fair valuation. I consider $25 a year for twenty-four years—$600, as ample for the rent, and $750 enough to cover the full value of the land.

Surgeon Porter, of the Army, could give the Department the necessary information as to the value of the land, as he lives at Key West. I did not see him while there, feeling restricted by the paragraph in the letter from headquarters of the Army which stated that I should be careful not to let my object be known.

In paying the rent it must be borne in mind that property has, within the last two or three years, rapidly increased in value in Key West. At the time the land was taken it had little value, being far out of town and situated beside the post cemetery.

In 1860 the whole of Monroe County had a population of 2,913; in 1870, Key West's population was 5,016. It has now about 16,000.

The lowest bid to remove the remains is $1,298.95; so that if Mr. Maloney accepts the proffer of $1,350 there will not be much loss to the Government in the transaction.

The people at Key West laugh at Mr. Maloney's assertions that he would get $10,000 from the United States Government for his claim. I left Tampa on the 11th, and arrived at this post on this date.

Very respectfully, your obedient servant,

GEORGE MITCHELL,
Captain, Second Artillery.

ADJUTANT-GENERAL UNITED STATES ARMY,
Washington, D. C.

Memorandum.—The act of July 22, 1876 (19 Statutes, p. 76), authorized payment of $2,000 to Maloney for the land, which he would not then accept.

KEY WEST BARRACKS, FLA., *December 31, 1884.*

SIR: Referring to the application of W. C. Maloney, jr., for the restoration of land belonging to his wife, and now occupied by the United States for cemetery purposes, referred to me for investigation and report, I have the honor to return herewith all the papers referred to me in the case, together with the plat of the Key West Barracks Reservation, with the necessary additions, showing the location of the post cemetery, including that part of it on land belonging to Mr. Maloney, the present and former position of the sinks, and the tract it was proposed to purchase of him, and referred to in the accompanying papers.

It appeared that the sinks for the use of the enlisted men, prior to their removal in 1878, were situated beyond the boundary wall and upon the land of Mr. Maloney, and were reached by steps leading over said wall. At the time mentioned by Captain Guenther these sinks were moved just within the boundary wall, and the steps removed. There was not at that time, nor has there been subsequently, any change made in the location of the wall itself.

The land Mr. Maloney now desires to have restored comprises the southern half of the post cemetery, and contains a little more than the third of an acre (0.372) abutting into the square of land owned by him.

Upon this ground there are buried the remains of 214 persons (supposing the headstones are correctly placed)—8 commissioned officers of the Army, 1 of the Navy, 1 woman, 2 citizens, and 202 enlisted men. The latter number includes 185 known and 97 unknown dead.

The boundary wall between the United States and Mr. Maloney is a substantial stone one, and is continued around the cemetery to White street and along that street to the main entrance to the post thereon. That part of the cemetery abutting into the reservation is inclosed by a picket fence.

If it is decided to remove the remains and restore to Mr. Maloney his land, by utilizing the small portion of the cemetery on Government ground, now unoccupied, and moving the picket fence back say 30 feet upon the reservation ample room will be had for the reinterment of these remains. In such a case there will be the material in 380 feet of stone wall available to continue the boundary wall to White street, 130 feet 6 inches.

So far as is shown by the headstones, there have been no burials in this part of the cemetery since 1869.

The estimated cost of removing the remains and restoring the boundary wall, made by several parties in Key West, is as follows:

Removing and reinterring 214 bodies, at $10 each	$2,140.00
Removing old wall and rebuilding 130 feet new wall	195.00
Moving picket fence and building 30 feet new fencing	100.00
Total	2,435.00

Under advertisement the work could no doubt be done at a third less than the above figures. If undertaken it should be finished not later than the middle of March, to avoid complications with the local board of health. I might add that the greater number of these persons are supposed to have died of yellow fever.

I am, very respectfully, your obedient servant,

J. M. CALIFF,
First Lieutenant, Third Artillery.

ASSISTANT ADJUTANT-GENERAL, DEPARTMENT OF THE EAST,
Governors Island, New York Harbor.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 222.

SAFETY OF THE PUBLIC IN OCEAN TRAVEL.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A report of the Supervising Inspector-General and Board of Supervising Inspectors on resolution of House of Representatives, of January 21, 1896, relative to the safety of the public in ocean travel.

FEBRUARY 10, 1896.—Referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 7, 1896.

SIR: In compliance with a resolution of the House of Representatives, adopted on the 21st day of January, 1896, calling upon this Department "to inform the House of Representatives whether the present provisions for the safety of the public in ocean travel are adequate; and if so, whether such provisions are strictly carried out," I have the honor to transmit herewith a report of the Supervising Inspector-General, and also a report of the Board of Supervising Inspectors, recently in session in this city, to whom the subject of inquiry was referred, such Board having, under the direction of the Secretary of the Treasury, charge of the execution of the laws governing the inspection of steam vessels.

Respectfully, yours,

S. WIKE,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

TREASURY DEPARTMENT,
STEAMBOAT-INSPECTION SERVICE,
OFFICE OF THE SUPERVISING INSPECTOR-GENERAL,
Washington, D. C., February 7, 1896.

SIR: I have the honor to transmit herewith a report of the Board of Supervising Inspectors of Steam Vessels, to whom was referred by this

office for consideration a resolution of the House of Representatives directing the Secretary of the Treasury "to inform the House of Representatives whether the present provisions for the safety of the public in ocean travel are adequate; and if so, whether such provisions are strictly carried out."

The provisions of law referred to are contained in section 4488, Revised Statutes, which reads as follows:

SEC. 4488. Every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of lifeboats, floats, rafts, life-preservers [line-carrying projectiles and the means of propelling them], and drags, as will best secure the safety of all persons on board such vessel in case of disaster; and every seagoing vessel carrying passengers, and every such vessel navigating any of the Northern or Northwestern lakes, shall have the lifeboats required by law provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water. And the Board of Supervising Inspectors shall fix and determine, by their rules and regulations, the kind of lifeboats, floats, rafts, life-preservers [line-carrying projectiles and the means of propelling them], and drags that shall be used on such vessels, and also the kind and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of such pumps or appliances being suited to the navigation in which the steamer is employed.

Referring thereto, it is the opinion of this office that such provisions are entirely adequate, and in the absence of specific complaints to the contrary—and there have been none received by this office—I should assume that such provisions are strictly carried out. This is further confirmed from the fact that an examination of the records of American ocean steamers fails to show a single case of loss of life through lack of the equipments required by law, except in cases where such equipments have been lost or rendered useless at the time of the disaster, as, for instance, in the case of the foundering of the steamer *Vera Cruz*, August 28, 1880, when the ship encountered a hurricane, the first effects of which were that a tremendous sea swept the decks, carrying away deck houses, lifeboats, and every movable thing on deck, besides sweeping overboard the captain and several of the officers and crew of the steamer, which foundered an hour and a half later, causing the loss of life of 68 out of the total of 78 persons on board, the 10 that were saved having been washed ashore on spars and other wreckage of the steamer, this casualty showing that there are dangers of the sea that no human foresight can provide against, at least in auxiliary life-saving equipments independent of the ship itself, upon which mainly must depend the lives of those who make an ocean voyage, and such safety is now as nearly assured as possible in the modern-built steel and iron steamers, with their numerous water-tight compartments making them nearly nonsinkable, as illustrated in the case of two large transatlantic steamers within the last two or three years, one a German steamer, the other then under the English flag, but now sailing under the American flag, the first safely concluding her voyage with the after compartment of the steamer full of water, the other with one of her middle compartments full of water.

Samples of such modern-built steamers are the *St. Louis* and the *St. Paul* of the American Line steamers, which are each capable, under the navigation laws, to comfortably provide for the accommodation of from 2,000 to 2,500 passengers and crew, though at present they are licensed to carry only 1,200 passengers and 388 crew, or a total of 1,588 persons; and each is equipped with 1,600 life-preservers, 14 boats, and 7 rafts, the boat and raft equipment occupying a space thereon of about 24 feet wide the whole length, of about 225 feet, of the hurri-

cane deck, the only available place where they can be carried with safety and at the same time be accessible in time of emergency, the remaining space on such deck being absolutely necessary for free passage of the crew in the necessary working of the ship. The boat and raft capacity carried would be sufficient, according to the rating of the Board of Supervising Inspectors, for 910 persons in rough water and about 1,150 in smooth water.

In view of the fact, as absolutely proved in past experience, that in the case of danger to the ship arising from a heavy gale of wind these boats and rafts would be swept overboard long before the ship itself would suffer, this office does not feel warranted in recommending legislation to restrict these or other similar ships to the carriage of only so many persons, passengers, and crew as shall only equal the carrying capacity of the lifeboats and rafts they can practically carry and make available.

It is feared that such legislation might discourage the efforts of builders and owners to adopt the improvements in construction herein referred to, thereby legally debarring them from successful competition with the ships of other nations, none of which are or are liable to be better equipped with auxiliary life saving appliances than are now the ocean and coastwise steamers of the United States.

In conclusion, and for the information and possible relief of mind of timid persons who fear to make an ocean voyage, or if they do so, and while on board a steamer, are in constant trepidation, to the discomfort of themselves and their associates on such a voyage, I submit a comparative statement of the dangers by land and sea, as shown by official records on the subject, showing that as a rule life is safer to-day on an ocean steamer than when traveling by railroad or any other vehicular mode of travel; in fact, safer than is pedestrian travel in large cities, or while engaged in the ordinary employments of life on land. For instance, in the twenty years ending June 30, 1895, there were reported 100 ocean and coastwise steamers lost. Total number of lives lost, 776, or an average loss per annum of less than 39 persons, while on the railroads of the United States during the five years ended June 30, 1894, there were killed, as reported by the Interstate Commerce Commission, 34,304 persons, including passengers and employees, or an annual average of 6,861 persons killed.

There are no statistics in this country, that I am aware of, from which data can be obtained as to the number of people killed in general employments, but I am informed that Germany keeps a record of all accidental loss of life among workmen, and I have seen an apparently authentic statement in a newspaper lately that the German records show a loss of life from accidental causes of 39,000 workmen from October 1, 1885, to December 31, 1893, a period of eight years and three months, or an annual average of 4,727 such persons, which annual average is over six times the number of persons, passengers, and employees lost on ocean steam vessels in twenty years.

While the above statements show that there is no absolute preventive against accidental loss of life, either on land or water, they also show that the United States, by its beneficent laws and faithful execution thereof by its duly appointed officers, has reduced the losses of life on steam vessels to a minimum not reached by any other maritime nation.

Respectfully, yours,

JAS. A. DUMONT,
Supervising Inspector-General.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,
BOARD OF SUPERVISING INSPECTORS OF STEAM VESSELS,
Washington, D. C., January 27, 1896.

The committee on life-saving appliances having had under consideration the resolution of the House of Representatives presented to the Board by the Supervising Inspector-General on the 23d day of January, 1896, relating to equipments on ocean steam vessels, namely, lifeboats, boat-detaching apparatus, etc., beg leave to report as follows:

First. That said resolution reads as follows:

"Whereas it has been repeatedly charged by the Buffalo Evening News and other leading papers that ocean steamers are permitted to sail from American ports with lifeboat equipment utterly inadequate to accommodate the crew and passengers in case of accident; and

"Whereas it is further alleged in these same journals that lifeboats are frequently without the detaching hooks of the disengaging apparatus required by law: Now, therefore, be it

"*Resolved*, That the Secretary of the Treasury be directed to inform the House of Representatives whether the present provisions for the safety of the public in ocean travel are adequate; and, if so, whether such provisions are strictly carried out.

"Attest:

"A. MCDOWELL, *Clerk.*"

We have the honor to report thereon that, inasmuch as your committee has not been furnished with copies of the newspaper charges referred to in the preamble of the above resolution, we are totally unprepared to make other reply than to state it as their belief that all ocean steam vessels carrying passengers from ports of the United States, both domestic and foreign, never leave port without the life-saving equipments required by the Board of Supervising Inspectors, acting under the authority conferred upon them by the provisions of section 4488, Revised Statutes, which rules are, for steam vessels of the United States, as follows:

"12. Passenger steamers navigating oceans, northwestern lakes, bays, and sounds of the United States must be equipped with lifeboats in proportion to their tonnage, as follows:

Steamers—	Boats.
Under 100 tons	1
Between 100 and 200 tons	2
Between 200 and 300 tons	3
Between 300 and 400 tons	4
Between 400 and 500 tons	5
Between 500 and 1,000 tons	6
Between 1,000 and 1,500 tons	7
Between 1,500 and 2,000 tons	8
Between 2,000 and 2,500 tons	9
Between 2,500 and 3,000 tons	10
Between 3,000 and 3,500 tons	11
Between 3,500 and 4,000 tons	12
Between 4,000 and 5,000 tons	13
Of 5,000 tons and above	14

"All these boats must be of proper size and substantially built with reference to the trade in which the steamer is engaged: *Provided, however,* That no steamer shall be required to have more lifeboats than sufficient to carry the passengers she is allowed by her certificate of inspection, together with her officers and crew.

"13. A portion of the lifeboats required on all passenger steamers may be substituted by their equivalents in approved life rafts when, in the judgment of the inspectors, it can be done with safety.

"14. All steamers built for the navigation of oceans, Northwestern lakes, and sounds (meaning in waters sufficiently rough to swamp boats) shall be equipped with life rafts in proportion of one at least to every two lifeboats required."

When the above rules were adopted, and up to the adjournment of the Board of Supervising Inspectors at their last annual session, in January last, the largest steamers flying the United States flag did not materially exceed the highest tonnage in the above-enumerated list. Since then two United States merchant steamers have been built, namely, the *St. Louis* and *St. Paul*, which steamers are of nearly or quite 11,000 gross tons and 6,000 net tons. To meet this additional tonnage the rules of the Board have been amended, at the present session of the Board, by the addition of the following rule:

"Steam vessels above 5,000 tons burden shall be furnished with an additional boat of not less than 495 cubic feet capacity for each additional 500 tons burden or fraction thereof; or, if the owners or agents prefer, two boats may be used, provided the aggregate capacity shall be the same as the one boat described."

The gross tonnage is always considered in equipping steamers with lifeboats.

The rule for foreign steamers under the United States laws, and the rule of the Secretary of the Treasury thereon, is as follows:

"RULE 9. Steamers must be provided with boats in accordance with the following table:

Table of dimensions of boats required to be carried by foreign passenger steamers.

[British Board of Trade rule.]

Number of tons register.	Number of boats.	Aggregate contents.
		Cubic feet.
1,000 and upward	6	2,034.2
800 to 1,000	4	1,132.1
500 to 800	4	987.3
360 to 500	4	882.3
240 to 360	4	657.2
120 to 240	3	454
60 to 120	3	368.2
Under 60	1	91

"Steamers above 1,500 tons burden to be furnished with an additional boat of not less than 495 cubic feet capacity for each additional 500 tons burden or fraction thereof; or if the owners or agents prefer, two boats may be used, provided the aggregate capacity shall be the same as the one boat described."

In the case of foreign steam vessels, over which there is lawful control only on the outward voyage, and not on the inward one, it is believed that, as a rule, there is boat equipment enough for all on board, as the emigrant trade from ports of the United States is nominal only. In the case of either domestic or foreign steamers your committee believe that the existing regulations require all the boats that can be cared for on shipboard without obstructing the safe navigation of the vessel. In this connection must also be considered the fact that modern iron and steel steamships, with their numerous water-tight bulkheads, are at least 100 per cent safer than were the steamships of twenty years ago.

In view of the difficulty of safely carrying more boats than required by the rules the only remedy in cases where the ship's passenger-carrying capacity is greater than the safe boat-carrying capacity would be to restrict the number of passengers to the capacity of the boats they can carry without detriment to safe working of the ship; but as such restriction upon commerce could not be sustained by this Board without the active support of Congress it is suggested that if Congress desires such restriction it will express the same by an amendment to section 4488, Revised Statutes, making it obligatory upon the steam vessels referred to in that statute to carry no greater number of passengers and crew than they have lifeboat capacity for, and also to request other nations—and all maritime nations have boat rules approximating those of the United States—to join in such restriction, as at least 95 per cent of all passengers coming to the United States from Europe come by foreign steam vessels, and a majority of the cabin passengers carried thereon being citizens of the United States.

Before concluding this branch of the subject your committee would call attention to the fact that in addition to the boat equipment required, as heretofore referred to, all steamers are compelled to furnish a life-preserver for each and every person on board, including the passengers and crew of the vessel.

In answer to the newspaper allegation in the resolution of the House of Representatives "that lifeboats are frequently without the detaching hooks of the disengaging apparatus required by law," your committee are at a loss to comprehend exactly what is meant, but assume that what was intended to be said was that lifeboats are frequently not furnished (to quote the exact language of the law, section 4488, Revised Statutes) "with suitable boat-disengaging apparatus, so arranged as to allow such boats (lifeboats) to be safely launched while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water."

If our assumption in this respect is correct, we would report that the allegation is mostly true, for, though all boats are furnished with suitable hooks and disengaging apparatus, practically complying with the terms of the law, they are not furnished with the technically lawful disengaging apparatus, for the reason that no disengaging apparatus has yet been constructed that will allow a boat "to be safely launched while such [steam] vessels are under speed," whilst there are probably many such that will safely launch a boat with the steamer not under headway.

After the law was passed, February 28, 1871, requiring such impracticable apparatus as it does, a number of them were approved by this Board, and put in use on steam vessels; but two or three years' experience proved those that had been approved not only worthless, but dangerous to life, and, in consequence thereof, the Board at its meeting held January 31, 1873 (p. 33, Proceedings of 1873), rescinded the approval of all such apparatus, in the following preamble and resolution:

"Whereas the experience of this Board is against the use of the disengaging apparatus heretofore approved and used as a life-saving instrument; and

"Whereas, in accordance with the provisions in the second subdivision of the eleventh section of the act of February 28, 1871 (now section 4488, Revised Statutes), requiring this Board to approve all kinds of instruments, machines, or equipments, for the better security of life, required by that act, presupposes that the right resides in this Board to condemn and disapprove all such instruments, etc., as do not accomplish their objects: Therefore,

"*Be it resolved*, That all the action of this Board heretofore approving of and regulating all kinds of boat-disengaging apparatus be, and is hereby, repealed."

Since the date of the action of the Board as above quoted, the Board has at each succeeding annual meeting had occasion to examine and experiment with various designs of disengaging apparatus, but has failed as yet to find one that would comply with that provision of the law heretofore referred to as being impracticable and, in the opinion of your committee, impossible; the last experiment being with one claimed to be the best ever invented yet, which on a practical trial failed to operate four times out of six trials, thereby proving that any dependence that may be placed on such disengaging apparatus is so purely a matter of chance as to almost constitute its compulsory use a crime.

Following is a verbatim report of the committee who witnessed the experiments referred to:

"The committee on life-saving appliances, having had under consideration the communication of Lieut. Lucien Young, presented to the Board by the Supervising Inspector-General on the 18th day of January, 1894, relating to a boat-detaching apparatus, beg leave to report as follows:

"That on Saturday, January 27, your committee, on invitation of Mr. Young, proceeded to the Potomac River to witness a test of the above-named apparatus, but were informed that they were not ready to make the test. On February 3, the following Saturday, however, six tests were witnessed by the committee from United States steam tug *Triton*, four of which were unsuccessful, and your committee ask to be discharged from further consideration of the matter.

"ALEX. MCMASTER,
"GEO. H. STARBUCK,
"C. H. WESTCOTT,
"*Committee.*"

(Proceedings 1894, p. 48.)

In conclusion, your committee would earnestly recommend that section 4488, Revised Statutes, be amended by striking out in said statute all the words following the word "apparatus," in the first paragraph of said section, thus leaving to the Board of Supervising Inspectors discretion to approve any disengaging apparatus that in their judgment is safe as well as practicable.

All of which is respectfully submitted for the consideration of the Board.

E. P. CHANCELLOR,
M. J. GALVIN,
W. H. MURDAUGH,
Committee on Life-Saving Appliances.

On motion the report of the committee was adopted by the unanimous vote of the Board.

Attest:

JAMES N. THOMPSON,
Supervising Inspector, Sixth District, Secretary.
JAS. A. DUMONT,
Supervising Inspector-General, President of the Board.

54TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { DOCUMENT No. 223.

SURVEY OF OCONTO HARBOR, WISCONSIN.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING,

With a letter from the Chief of Engineers, report of survey of Oconto Harbor, Wisconsin.

FEBRUARY 10, 1896.—Referred to the Committee on Rivers and Harbors and ordered to be printed.

WAR DEPARTMENT,
Washington, D. C., February 7, 1896.

SIR: I have the honor to inclose herewith letter from the Chief of Engineers, dated February 5, 1896, together with a copy of a report from Capt. George A. Zinn, Corps of Engineers, dated January 23, 1896, of a survey made by him in compliance with the provisions of the river and harbor act of August 17, 1894, of Oconto Harbor, Wisconsin.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., February 5, 1896.

SIR: The river and harbor act of August 17, 1894, provides, in the item making appropriation for the improvement of Oconto Harbor, Wisconsin, for a survey of the harbor, with plans and estimates "for the improvement and confinement of the current in the river, to maintain a standard depth of water, and to obtain a channel 16 feet deep, and for extending the piers, and for the construction of a harbor 16 feet deep in Green Bay exterior to the river channel," and I have now the honor to submit the accompanying copy of report, dated the 23d ultimo, with map, by Capt. George A. Zinn, Corps of Engineers, upon the subject.

Assuming that the 16-foot channel should extend up to Spies's mill, Captain Zinn submits the following estimate of cost for (1) the improve-

ment and confinement of the river, (2) for obtaining a channel 16 feet deep, and (3) for extending the piers, viz:

Extension of south pier 1,100 feet, at $20	$22,000
Repairing and reenforcing 500 feet shore end of south pier, at $8	4,000
Removing and rebuilding present north pier 1,600 feet, at $10	16,000
Extending north pier 1,900 feet, at $20	38,000
Dredging between piers, and to establish harbor line in the river, 873,000 cubic yards, at 15 cents	130,950
Revetting 1,200 linear feet of the channel in the river, at $8	9,600
	220,550
Contingencies, 10 per cent	22,055
Total	242,605

The local officer states that annual dredging between Green Bay and Spies's mill, estimated by Major Davis to be 45,000 cubic yards, would be necessary in order to maintain a standard depth, which, at the rate of 12½ cents per cubic yard, would cost $5,400 yearly.

To obtain a harbor 16 feet deep in Green Bay exterior to the river channel, Captain Zinn proposes the construction of a pier to begin at a point 400 feet from the extremity of the north pier (after the latter has been rebuilt and extended to the 16-foot contour), to run in a northwesterly direction until it reaches a point on the line of the abandoned city pier; from this point to run a pier until it joins the city pier; the area thus inclosed to be dredged to a depth of 16 feet; all of which he estimates to cost—

1,965 linear feet pile pier, 24 feet wide (breakwater), at $41 per linear foot	$80,565
1,500 linear feet pile pier, 20 feet wide (to connect with city pier), at $20 per linear foot	30,000
Rebuilding and repairing 765 linear feet old city pier, at $10 per linear foot	7,650
Dredging 1,290,000 cubic yards, at 12 cents	154,800
Contingencies at 10 per cent	27,301
Total	300,316

In view of the great cost of the exterior harbor according to this project, Captain Zinn submits an alternative and cheaper plan, suggested by Major Davis, in conjunction with the scheme devised by Ex-City Engineer Edwin R. Parks, of Oconto, which is shown on the map in broken red lines, and designed to afford ample accommodation for the commerce of this port for the present or near future.

Under this alternative plan the work to be accomplished by the Government would be the extension and repair of the south pier, the removal, rebuilding, and extension of the north pier, and dredging between the piers and in the river opposite the slips, the cost being estimated as follows:

Extension of south pier 1,100 feet, at $20	$22,000
Repairing and reenforcing 500 feet shore end south pier, at $8	4,000
Removing and rebuilding the present north pier 1,600 feet, at $10	16,000
Extending north pier 1,900 feet, at $20	38,000
Dredging 550,000 cubic yards, at 12 cents	66,000
Revetting 1,200 linear feet of the channel in the river, at $8	9,600
	155,600
Add 10 per cent, contingencies	15,560
Total	171,160

Very respectfully, your obedient servant,

W. P. CRAIGHILL,
Brig. Gen., Chief of Engineers.

Hon. DANIEL S. LAMONT,
Secretary of War.

SURVEY OF HARBOR AT OCONTO, WISCONSIN.

UNITED STATES ENGINEER OFFICE,
Milwaukee, Wis., January 23, 1896.

GENERAL: I have the honor to submit the following plans and estimates for improving harbor at Oconto, Wis., in accordance with the following item in the river and harbor act, August 17, 1894:

Improving harbor at Oconto, Wisconsin: To maintain works, $3,000; *Provided*, That so much of said sum as may be necessary may be used for the purpose of making a survey and submitting plans and estimates for the improvement and confinement of the current in the river, to maintain a standard depth of water, and to obtain a channel 16 feet deep, and for extending the piers, and for the construction of a harbor 16 feet deep in Green Bay exterior to the river channel.

This item calls for estimates to cover:
(1) Improvement and confinement of the current of the river.
(2) To maintain a standard depth of water.
(3) To obtain a channel 16 feet deep.
(4) For extending the piers.
(5) For the construction of a harbor 16 feet deep in Green Bay exterior to the river channel.

It is not clear what limits are to be covered by the survey and estimates. It may be assumed that its intention was to obtain a 16-foot channel in the Oconto River from some point near the city of Oconto to the 16-foot contour in Green Bay, and an exterior harbor 16 feet deep.

Section 13, river and harbor act, August 11, 1888, provided for a preliminary examination of "Oconto Harbor, channel 16 feet deep and 75 feet wide from piers to first contour in river at Spies Slough."

Section 10, river and harbor act, August 17, 1894, provided for a preliminary examination of "Oconto River, Wisconsin, to obtain a channel 16 feet deep and 150 feet wide."

The approved project for the improvement of this harbor is for a channel 100 feet wide and 8 feet deep from the Section Street Bridge in Oconto to the 10-foot contour in Green Bay, a distance of about 2 miles, to be obtained by two parallel piers 150 feet apart near the mouth of the river, and by dredging between them and in the river.

The present works are as follows:

(1) North pier, 1,603 feet long, 20 feet wide, built in 1883–1885, described below. Section A, pile and slab pier, 1,100 feet long, 20 feet wide, filled with slabs and edgings, ballasted with sand. Piling each face at 5-foot centers. Cross walls close piling, 50-foot intervals. To assist holding the wood filling in place, binding poles about 5 inches in diameter extending across the pier at intervals of 5 feet, and were secured with No. 8 iron wire to the pile heads; built in 1883.

Seven hundred and fifty linear feet of inshore end, damaged by fire and freshet, was repaired in 1891 by driving a line of piling along channel face, piles 3-foot intervals, with 8 by 12 inch pile wales. Section B, pile and slab pier, 503 feet long, 20 feet wide, channel face, piles 4 feet apart; rear face, piles 2 feet apart; cross walls close piling, 50-foot intervals, filled with slabs and edgings, ballasted with sand, 8 by 12 inch pile wales, $1\frac{1}{8}$-inch iron tie-rods and 12 by 12 inch pine cross-ties, 8 foot intervals; built in 1885.

(2) South pier, 2,151 feet long, 20 feet wide, built in 1882–1885, described below. Section A, pile and slab pier 1,850 feet long, 20 feet wide; original construction same as Section A, north pier; built in 1882–83.

In 1885 1,000 linear feet of outshore end was provided with a line of close piling, with 6 by 12 inch oak wales, about 2 feet from its rear face; thence to the shore line riprap to the water surface, the object being to afford protection from ice shoves.

In 1887–88 this section was reenforced by a line of piling about 2 feet from channel face, piles at 3-foot intervals, with 6 by 12 inch pine wales, and secured to pier by 1⅛-inch iron tie-rods at intervals of 9 feet. Section B, pile and slab pier 301 feet long, 20 feet wide, both rows close piling, cross walls close piling, 50-foot intervals, 8 by 12 inch pine wales, 12 by 12 inch pine cross-ties and 1⅛-inch iron tie-rods at intervals of 8 feet, filled with slabs and edgings, ballasted with stone; built in 1885.

In September, 1894, the governing depth from the harbor entrance to the shore line was about 10 feet, thence up the river to Spies's mill, a distance of about 6,500 feet, 7 feet.

April, 1894, from Spies's mill to Section Street Bridge, a distance of about 3,800 feet, the governing depth was about 4 feet.

The survey required by the act of August 17, 1894, was made in September, 1894, tracing herewith. A comparison with previous surveys shows that very little change has taken place in the bay exterior to the river mouth and in the river itself.

Assuming that the 16-foot channel is to begin at Spies's mill, in the same way as was done by Maj. Chas. E. L. B. Davis, Corps of Engineers, in his report dated November 23, 1888, and repeated by Maj. James F. Gregory, Corps of Engineers, in his report of October 24, 1894, given on page 2682 of the Annual Report of the Chief of Engineers for 1895, the work required to be done will be the same as proposed by those officers, as follows: (1) To repair shore end of south pier; (2) to extend the south pier to the 16-foot contour; (3) to remove and rebuild the north pier 250 feet from the south pier and extending from the shore to the 16-foot contour; (4) to revet the channel of the river along the south shore to confine its waters; (5) to dredge the channel from Spies's mill to the bay to 16 feet depth.

The estimated cost of this work is as follows:

Extension of south pier 1,100 feet, at $20	$22,000
Repairing and reenforcing 500 feet shore end of south pier, at $8	4,000
Removing and rebuilding present north pier 1,600 feet, at $10	16,000
Extending north pier 1,900 feet, at $20	38,000
Dredging between piers, and to establish harbor line in the river, 873,000 cubic yards, at 15 cents	130,950
Revetting 1,200 linear feet of the channel in the river, at $8	9,600
	220,550
Contingencies, 10 per cent	22,055
Total	242,605

The estimate covers (1) the improvement and confinement of the river, (2) a channel 16 feet deep, and (3) for extending the piers.

To maintain a standard depth will require annual dredging.

Major Davis estimated in his annual report for 1890 that—

> from the data obtained since the improvement of this harbor began it is altogether probable that the annual dredging required to maintain the required depth in the channel after it is completed would be approximately as follows:
>
> From Green Bay to Spies's mill, 45,000 yards (which at 12 cents per cubic yard amounts to $5,400 per year).
>
> From Green Bay to the shore line, 10,000 cubic yards.

At ordinary seasons the current in the river is sluggish, while during the spring freshets a considerable volume with a strong current is

poured out, carrying with it a considerable amount of sediment, much of which is deposited in the river channel and between the piers.

For the construction of a harbor 16 feet deep in Green Bay exterior to the river channel, I would propose the following:

Beginning at a point 400 feet from the extremity of the north pier, after it has been rebuilt and extended to the 16-foot contour, run a pier in a direction approximately north 67° 30′ west until it reaches a point on the line of the abandoned city pier. From this point run a pier until it joins the city pier, and then make use of the city pier to reach the shore by repairing and adding to it. Within the area inclosed dredge to a depth of 16 feet.

The present commerce of this harbor will not need a greater anchorage than 100 acres.

The considerations governing the location of the proposed exterior harbor, as above described and shown on the tracing in full red lines, are these:

The harbor must be so located as not to catch any of the sediment brought down by the river.

The entrance to the harbor must be at least 400 feet wide to permit the entrance of vessels in rough weather.

The city of Oconto has constructed a roadway over the marsh and a pier for the landing of vessels to the north of the harbor entrance. The direction of the Government piers is such that they approach toward the land to the northward. It will therefore be more economical to place the harbor to the northward of the present entrance than to the southward.

On account of the great cost of piers constructed in deep water it is more economical to place them at the 16-foot contour and to dredge the basin thus formed.

Minor considerations also not necessary to be named here make the location shown on the tracing appear to be the most suitable and most economical.

The estimate for its construction is as follows:

1,965 linear feet pile pier, 24 feet wide (breakwater), at $41 per linear foot	$80,565
500 linear feet pile pier, 20 feet wide (to connect with city pier), at $20 per linear foot	30,000
Rebuilding and repairing 765 linear feet old city pier, at $10 per linear foot.	7,650
Dredging 1,290,000 cubic yards, at 12 cents	154,800
Contingencies at 10 per cent	27,301
Total	300,316

The great cost of this exterior harbor in connection with the relatively small amount of commerce at this place makes it desirable to seek an alternative cheaper plan.

The plan suggested by Major Davis in his report of November 23, 1888, in conjunction with the scheme devised by the ex-city engineer, Edwin R. Parks, of Oconto, at the instance of Oconto parties, would afford ample accommodation for the present or near future commerce of this port. His plan is shown on the tracing in broken red lines.

The cost of construction of the slips should of course be borne by the owners of the land upon which they are built.

The work to be done by the Government would then be (1) the extension and repair of the south pier, (2) the removal, rebuilding, and extension of the north pier, and (3) the dredging between the piers and in the river opposite the slips.

The estimated cost is as follows:

Extension of south pier 1,100 feet, at $20	$22,000
Repairing and reenforcing 500 feet shore end of south pier, at $8	4,000
Removing and rebuilding the present north pier 1,600 feet, at $10	16,000
Extending north pier 1,900 feet, at $20	38,000
Dredging 550,000 cubic yards, at 12 cents	66,000
Revetting 1,200 linear feet of the channel in the river, at $8	9,600
	155,600
Add 10 per cent, contingencies	15,560
Total	171,160

Very respectfully, your obedient servant,

GEO. A. ZINN,
Captain, Corps of Engineers.

Brig. Gen. W. P. CRAIGHILL,
Chief of Engineers, U. S. A.

(Through Col. H. M. Robert, Corps of Engineers, Division Engineer, Northwest Division.)

[First indorsement.]

U. S. ENGINEER OFFICE,
NORTHWEST DIVISION,
New York, February 1, 1896.

Respectfully forwarded to the Chief of Engineers, United States Army. I concur in the views expressed by Captain Zinn.

HENRY M. ROBERT,
Colonel of Engineers, Division Engineer.

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MDZ Münchener DigitalisierungsZentrum Digitale Bibliothek

House documents

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